

National Care Service Justice Social Work Research

Report

January 2024

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Responsibility for this report lies solely with the authors.

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Glossary of acronyms and key terms

Caledonian programme / system: A domestic abuse intervention usually delivered by justice social workers. Involves a structured programme for perpetrators, aimed at addressing the issues/attitudes underpinning their offending, as well as working with their current/ex-partners and children.

Clients: used in this report to refer to people involved in the justice system in receipt of support or services through Justice Social Work. This might include receiving a variety of different types of support and supervision, including supervision on unpaid work orders, attending domestic abuse rehabilitation groups, support from a specialist Women's Service, and more general one-to-one JSW throughcare support on leaving prison. 'Service users' is sometimes used as an alternative term, but for consistency this report uses 'clients'.

CJP: Community Justice Partnership. Work towards community justice outcomes in the local community bringing together all the key local agencies with an interest/input to this, including the local authority, Health and Social Care Partnership, Police, Prisons, Courts, Alcohol and Drug Partnerships, Victim Support etc.

CJS: Community Justice Scotland. The national leadership body for community justice in Scotland. Established by the Community Justice (Scotland) Act 2016, CJS has a statutory duty to promote the Scottish Government's Community Justice Strategy and to monitor the performance of each local authority area in achievement of community justice outcomes. It also provides advice and guidance and makes national and local improvement recommendations where appropriate.

COPFS: Crown Office and Procurator Fiscal Service, Scotland's public prosecution authority.

CPO: Community Payback Order. A court-issued community sentence that someone may receive. Requirements that can be imposed as part of CPOs (either in conjunction or separately) include: unpaid work orders; drug, alcohol or mental health treatment requirements; attendance at a specific programme aimed at addressing offending behaviour (e.g. the Caledonian System or Moving Forward: Making Changes); or general attendance at supervision appointments with JSW.

Diversion from prosecution: An alternative to prosecution available to the COPFS (public prosecutor) whereby individuals, who, typically, have committed a first-time, isolated or low risk offence, are directed away from formal legal proceedings in the courts and referred to social work departments or other services for support or rehabilitation. This mechanism aims to prevent reoffending by dealing with the root causes of the behaviour.

DTTO: Drug Treatment and Testing Order. A court issued order for treatment, regular testing, and review under social work supervision.

HSCP: Health and Social Care Partnership. Introduced following the 2014 Public Bodies (Joint working) (Scotland) Act, HSCPs are partnerships that bring together NHS and local authority services with the aim of improving local health and social care services (referred to as ‘health and social care integration’). HSCPs are all responsible for adult social care, adult primary health care and unscheduled adult hospital care. Some (but not all) HSCPs are also responsible for children’s services, homelessness and Justice Social Work. See also [Health and Social Care Scotland - Integration](#)

IJB: Integration Joint Board. A collaborative healthcare structure that integrates Health Boards and Local Authorities for managing and delivering combined health and social care services. IJBs are tasked with overseeing the provision of health and social care services (as described under HSCP, above).

IRASC: [Independent Review of Adult Social Care](#). An independent review, commissioned by the Scottish Government and chaired by Derek Feeley (sometimes referred to as ‘the Feeley Review’ or ‘the Feeley report’), to recommend improvements to adult social care in Scotland. The final report was published in 2021.

JSW: Justice Social Work.

KPI: Key Performance Indicator. A measurable value that demonstrates how effectively an organisation is achieving its key objectives.

LS/CMI: The Level of Service/Case Management Inventory (LS/CMI), a risk assessment and management tool, commonly used in criminal justice in Scotland. It is used by all community and prison-based justice social work services to aid decisions on the level and focus of supervision with people (aged 16+) who have been involved in offending.

NCS: National Care Service. A bill to create a National Care Service, with the aim of improving the quality and consistency of social services in Scotland, was introduced to the Scottish Parliament in June 2022. The Bill provided a framework for the setting up of the Service, with the substantive detail to follow.

Paraprofessional: someone who works within the JSW team to help deliver services but is not a qualified social worker. Includes Social Work Assistants and Criminal Justice Support Workers.

Procurator Fiscal: a legal professional responsible for prosecuting criminal offences. Employed by COPFS (see above).

SACRO: Scottish Association for the Care and Resettlement of Offenders. SACRO is a community justice organisation that supports communities and individuals, including both those harmed by crime and those responsible for that harm, with the aim of reducing reoffending and making communities safer.

SCTS: Scottish Courts and Tribunals Service. A public body providing administrative support to Scottish courts and tribunals and to the judiciary.

SPS: Scottish Prison Service. A branch of the Scottish Government entrusted with the custody of individuals sentenced by the Courts. SPS is accountable to the Scottish Parliament and operates under The Prisons and Young Offenders Institutions (Scotland) Rules 2011.

SSSC: The Scottish Social Services Council is the regulator with responsibility for the social work workforce in Scotland. All social workers in justice social work are required to be registered with the SSSC, who also set standards for practice, conduct, training and education.

Throughcare: support provided by justice social work to people sentenced to prison and who will be subject to post release supervision, from the point of sentence, through their prison term, to after their release. It serves both a public protection function (supervision/monitoring of risk) and a rehabilitation/reintegration purpose.

Executive summary

This report presents findings from qualitative research on Justice Social Work (JSW) services in Scotland. The research explored two inter-related issues: first, perceptions of the strengths, challenges and areas for improvement within JSW delivery at the moment, and second, views of the potential impacts of the National Care Service (NCS) on JSW. The research was conducted by Ipsos and commissioned by the Scottish Government as part of a programme of professional and public consultation prior to taking a decision on whether or not JSW should be included in the NCS. Fieldwork for the research pre-dated the publication, in July 2023, of the outcome of discussions between the Scottish Government and COSLA around the division of responsibility and accountability between local government and the NCS.¹

Methods

The research comprised:

- **A literature review** of national and international evidence relating to different approaches to delivering JSW, conducted by Professor Beth Weaver at Strathclyde University between December 2022 and March 2023. The literature review is published in full as a separate report.
- **Qualitative engagement with JSW professionals and key stakeholders (including clients)** across six case study local authorities (Argyll and Bute, Fife, Glasgow, Highland, South Lanarkshire and West Lothian). 141 participants took part in one-to-one, paired depth or group interviews between April and July 2023, including:
 - **102 professionals working directly in JSW** (including senior managers, team leaders, social workers and paraprofessionals)
 - **19 professional partners** from a wide range of other services, and
 - **20 JSW clients.**

Interviews were summarised into a thematic matrix, allowing for systematic analysis of themes, patterns and differences.

Current strengths and challenges in JSW

Ethos and approach of JSW

JSW entails a dual remit, balancing “care and control” and straddling “justice” and “social work” services. Both aspects are seen as central to the professional identity and ethos of JSW and many JSW activities will combine elements of both care and control. At the same time, there was a perception that, in recent years, resourcing pressures have led to practitioners needing to prioritise regulation, risk management and governance over more rehabilitative and desistance-focused

¹ See [letter from Maree Todd to the Health, Social Care and Sport Committee of the Scottish Parliament](#), 12 July 2023

work.

Core JSW professional values include: a focus on relationships; a commitment to partnership working; and a trauma-informed and holistic approach. While these reflect core 'social work' values, the delivery of JSW as a specialism was also seen as a key strength.

JSW professionals had mixed opinions on the degree to which their professional partners understood JSW's role and remit. However, wider professional partners interviewed for this research were positive about JSW's problem-solving and "can do" approach. Clients also spoke positively about JSW's non-judgemental, person-centred approach. At the same time, an awareness of JSW's dual role could also create tensions for clients around how far they felt able to be completely open with their justice social worker.

JSW professionals did not feel the public generally understood their role and expressed concerns about media representations of JSW.

Funding and resources

Challenge around resources was a strong theme across interviews with JSW teams and their professional partners. Multiple factors were identified as contributing to resourcing issues, including:

- a perceived increase in **expectations and demand** on JSW and in the complexity of **client needs** over recent decades, reflecting both external factors (such as the cost of living crisis) and the changing policy and legislative context
- **overall funding levels** not being seen to have kept pace with this increased demand and expectation
- funding not always being provided on a **sustainable basis**
- challenges around staff **recruitment, absence and retention**
- availability of **training** to meet the needs of JSW, including the needs of teams in areas furthest from the central belt where training tends to be delivered
- suitability of **physical resources**, including offices with appropriate spaces for confidential conversations
- issues around **external services' resources**, and
- **area-specific issues**, including challenges arising from the additional delivery costs associated with the geography of rural areas.

Partnership working

The nature and extent of partnership working was generally viewed as a strength of JSW by both JSW staff and their wider professional partners. JSW has a wide range of key local partners, including other branches of social work, wider justice services, other local authority services, the NHS, and a variety of third sector services. Inevitably, at local level some partnerships were viewed as easier or more effective than others and participants discussed a number of factors that either facilitated or hindered effective joint working, including:

- **Co-location**, which had the potential to substantially strengthen partnership working by helping staff develop working relationships, support knowledge and information sharing, and making it easier to link clients with services.
- **Effective communication and information sharing** was viewed as central to supporting risk management, but was felt to be hampered by a combination of ICT systems and restrictive policies and practices among some partners.
- **Statutory frameworks** such as MAPPA were felt to help ensure consistency in partnership working and decision making.
- **Sufficient resources** in terms of funding, time, staffing and access to services, not only for JSW, but also crucially for their partners, was key to effective partnership working (and insufficient resources were a significant barrier).
- **Shared ethos or values** between JSW and their professional partners was seen as helpful in facilitating joint working. However, JSW did not always feel that wider professional partners fully understood their role.

In terms of partnership working across local areas, opportunities to share best practice with colleagues from other parts of Scotland were valued by JSW staff and there was a desire to increase these opportunities, especially for those below senior management level.

Leadership and governance

Discussion of local leadership was somewhat limited. However, where it was discussed, JSW staff were – with some exceptions – generally positive. They particularly valued “active” heads of service, with a social work background who spoke up for JSW.

There were mixed views on the impacts of local CJP on JSWs and a perception that understanding of roles and remits between JSW and CJP could be improved.

There was no consensus on the impact of integration within HSCPs where JSW had been delegated. Positive impacts included: facilitating closer partnership working; shared learning; and promoting shared organisational values. More negative views included a perception that health “dominates” HSCPs, to the detriment of the voice and (particularly with respect to adult social work) professional autonomy of social work. There was also a perception that Adult social work had been subsumed within health, weakening links across social work.

There was a sense amongst professionals that JSW is “underrepresented” nationally and that the Scottish Government could provide more national leadership in terms of the direction of travel for the sector and challenging negative media portrayals of JSW. There was a belief that Community Justice Scotland had not fully realised its national leadership potential, though its role in promoting client voice in community justice was recognised and valued.

Delivering for clients

In addition to the overall strengths and challenges of delivering for clients mentioned above, local flexibility and innovation were seen as key strengths,

although there were some examples where opportunities for innovation were felt to be limited.

Clients' own views on what works from their perspective focused on: being treated with dignity and respect; having justice social workers who are approachable, communicative and honest; the range and quality of support JSW provide or facilitate; consistency (keeping the same social worker); and flexibility in terms of taking account of clients' personal circumstances when arranging JSW commitments. On the other hand, where clients had experienced what they perceived to be less respectful treatment, multiple changes of justice social worker, or felt they had been treated inflexibly, particularly with regard to the timing of JSW commitments, they were more negative about JSW support.

In terms of consistency of JSW delivery, one view among professionals was that the delivery of core JSW services is fairly consistent, supported by a clear statutory framework, national policies and sharing of good practice. However, it was recognised that there are local differences in both approaches to delivery and access to wider services.

Differences in JSW delivery were not necessarily viewed by JSW professionals as always having negative impacts on client outcomes; rather, some differences could be viewed as simply different ways of achieving them. These differences were sometimes attributed to issues around resourcing, or to limitations to the perceived suitability of some national programmes and policies, particularly in rural contexts, both of which were seen as creating barriers to delivering for clients. Inconsistency in terms of access to wider services was also seen as problematic. Again, this was particularly, but not only, discussed in terms of rurality.

Where JSW had developed specialist services targeting specific groups (e.g. women or young people), these groups were generally seen by JSW professionals as well supported. Groups of JSW clients who were perceived to be less well served included: those with particularly complex or multiple needs, (older) people convicted of sexual offences, and clients in rural areas. However, again these perceived inequalities in access to support were viewed as, at least partly, a reflection of challenges accessing appropriate support from external partners rather than weaknesses in JSW delivery.

Suggestions for improvement

Participants interviewed for this research made many suggestions for improving the delivery of JSW within the current broad model.

Resourcing was core to many of these suggestions, including: increasing resources overall; providing resourcing on a more sustainable basis; linking funding to a review of actual staffing requirements and challenges; allowing more flexibility over how resources are spent; increasing administrative support and support staff; and improving office spaces and updating physical equipment. The **wider context of services** available to support JSW clients was also seen as crucial to effective delivery – improving access to mental health services, for example, would have a significant impact on outcomes for JSW clients.

Other suggestions focused on **improving joint working** with partners and across areas, including: considering scope for increasing co-location, integration and joint training; expanding opportunities for multi-agency forums and networks open to all levels of JSW staff; and increasing understanding of roles and responsibilities of CJPs and different partners within these. **Enhancing national leadership** was also felt to be important – including national action to improve public understanding and media representations of the role of JSW.

Clients interviewed for this research were keen to emphasise the positive aspects of JSW that they wanted to retain, particularly the respectful, non-judgemental support they received, and the range of issues their JSW teams helped them with. However, they also suggested a number of changes, including: allowing them to voluntarily extend the length of their support from JSW; reducing the number of assessments required before accessing JSW support; allowing greater flexibility around timings of JSW commitments in relation to clients' other commitments; and greater communication between professionals, both within and outwith JSW.

Views on JSW and the NCS

Participants in this research expressed a desire for more detail on the NCS in general, and on the vision and plans for the potential inclusion of JSW specifically, raising many questions they felt had yet to be answered. Overall, participants identified more concerns than potential benefits in relation to the possible inclusion of JSW within the NCS, often reflecting their (negative) views of other 'nationalising' programmes – particularly Police Scotland, Health and Social Care integration, and the Probation Service in England. However, when pushed, three main positions on the inclusion of JSW in the NCS were apparent: that there was insufficient information to come to an informed view; that the negatives outweigh any potential benefits; or that, if other branches of social work are included within the NCS, then JSW should also be part of it in the interests of "keeping the profession together".

Particular concerns centred around:

- **A potential loss of social work values, identity and professional specialism** in a service they expected would be dominated by Health. On the other hand, there was a perception that the focus on "care" might be beneficial in promoting recognition of the links between offending and underlying issues of health and trauma.
- **Resourcing within the NCS**, including the overall level of resourcing, whether JSW ring-fencing will be maintained, how resources will be allocated between areas, how services will be commissioned, and whether resources will be diverted from frontline services at a time when they are already stretched.
- **The potential impacts of joining the NCS on joint working** with partners outwith the new national service, including housing, the courts, the police, education, and employability services.

Participants recognised the potential for a national service to improve consistency but were sceptical about how likely this was without substantial additional resource.

There was also a debate about whether a national service is the only or best route to achieving consistency and whether consistency of delivery should always be the goal.

1. Background and methods

Background

Justice Social Work (JSW) in Scotland provides a range of services and support to the criminal justice system and people who have been convicted of offences. JSW services include:

- providing assessments and reports to courts to assist with sentencing decisions and to the Parole Board to assist decisions about release from prison
- supporting diversion from prosecution (including supervision services as an alternative to custody)
- implementation of social work orders (including supervising unpaid work as part of community payback orders (CPOs) and supervising drug treatment and testing orders (DTTOs) and deferred sentences
- and statutory or voluntary support and supervision of those serving prison sentences, both before and after release.²

JSW services are currently managed by Scotland's 32 local authorities, with the legal framework and central policy direction set by the Scottish Government. Since the establishment of Health and Social Care Partnerships (HSCPs, formed to integrate services provided by health boards and councils in Scotland), responsibility for planning JSW has been delegated to the HSCP in some, but not all council areas. At the time of writing, JSW was delegated in 19 out of 32 local authority areas (including Highland, which operates a 'lead agency' model, in which the local authority leads on planning and delivery of JSW and Children and Families social work services, while the NHS is the lead agency covering Adult social work).³

Community Justice policy in Scotland is currently underpinned by the Community Justice (Scotland) Act 2016, which set out plans for strengthening community justice services, including establishing Community Justice Scotland as a national body with the aim of improving joint working of services to reduce reoffending. At local level, it established Community Justice Partnerships, made up of a number of statutory partners (including local authorities) with responsibility for community justice planning and reporting against national outcomes.

From its origins as a national probation service and its subsequent integration with social work following the Social Work (Scotland) Act, 1968, how JSW services should be structured, delivered and where and with whom they should be located, has since been the subject of much consultation and debate. The impetus for this research came from the most recent potential development in the structure of JSW – the question of whether or not JSW services should be incorporated within a National Care Service (NCS). In 2022, The Independent Review of Adult Social Care (IRASC) recommended creating the NCS but refrained from making

² See Harrison, S (2022) [SPICe Briefing: Social Work in Scotland](#) and Scottish Government (2022) [Justice Social Work in Scotland](#)

³ See [Health and Social Care Scotland](#)

recommendations about the integration of social work into the proposed arrangements. The NCS Bill⁴ includes a power to transfer JSW to a NCS, but the Scottish Government has committed to a programme of professional and public consultation before a decision is taken either way.⁵ The research on which this report is based is one element of a wider programme of inquiry, intended to inform subsequent stages of consultation and decision-making on the relationship of JSW to the NCS. However, as discussed below, questions around the NCS were explored in the wider context of the current strengths and weaknesses of JSW and how the service might be improved, whatever its future structure.

Research aims

The research had three main objectives:

- To identify the fundamental components, principles, and practices of JSW that are required to deliver effective services and achieve agreed outcomes
- To establish the strengths and weaknesses of the current JSW approach in Scotland and where stakeholders feel improvements could be made in achieving outcomes, and
- To analyse the strengths, weaknesses, and implications of JSW being included, or not included, in a future NCS in achieving agreed outcomes.

Research methods

The research consisted of two main elements:

- **A literature review** of national and international evidence relating to different approaches to delivering JSW, conducted between December 2022 and March 2023
- **Qualitative engagement with JSW professionals and key stakeholders (including clients)** across six case study local authorities, conducted between April and July 2023.

It was supported by an initial workshop with national stakeholders to refine the research questions and approach.

Literature review

The literature review was conducted by Professor Beth Weaver at Strathclyde University and is published in full as a separate report. It focused particularly on addressing the first of the three objectives above. The latter two objectives were the primary focus of the qualitative research but were also considered – where relevant data was available – in the literature review. As such, the two reports are complementary and should be read together in considering the evidence resulting from this research. The approach taken to the literature review is detailed in that

⁴ See [National Care Service \(Scotland\) Bill](#)

⁵ See responses to the initial consultation, held in 2021, at [A National Care Service for Scotland: consultation](#)

report but included a systematic search for relevant publications across academic databases and operational and government platforms.

Qualitative research with JSW professionals and stakeholders

Qualitative research was undertaken by researchers from Ipsos Scotland between April and July 2023 across six case study local authorities: Argyll and Bute, Fife, Glasgow, Highland, South Lanarkshire and West Lothian. These areas were selected to provide a mix of areas in terms of size, rurality and current JSW structure. In particular, they include four areas where JSW is delegated to the HSCP (Argyll and Bute, Glasgow, Highland – where JSW sits within the Highland Council ‘lead agency’ part of the HSCP, and West Lothian) and two (South Lanarkshire and Fife) where it remains outwith this structure.

In total, the researchers heard from 141 participants across the six case study areas, including:

- **102 professionals working directly in JSW**, comprising:
 - 14 senior or service managers
 - 34 team leaders (or equivalent)
 - 29 justice social workers, and
 - 25 paraprofessionals / support workers.
- **19 professional partners**, working in organisations identified by the service managers for each area as key partners for JSW locally. These included: representatives from Police Scotland, SACRO, the Scottish Prison Service (SPS), addictions and mental health services (including NHS and third sector services); housing services; third sector organisations; and the community justice partnership coordinators/leads for each area.
- **20 JSW clients**, who were receiving a variety of different types of support and supervision, including supervision on unpaid work orders, attending domestic abuse rehabilitation groups, support from a specialist Women’s Service, and more general one-to-one JSW throughcare support on leaving prison.

The Scottish Government provided the research team with contact details for the JSW service manager and chief social work officer in each case study area who assisted the researchers with identifying additional team members, professional partners and clients to interview. Within each case study area, as far as possible we tried to ensure a mix of JSW professionals with different roles and responsibilities. Across the six areas, we heard from JSW professionals with specific responsibilities for programme delivery (including domestic abuse and sex offender programmes), court services, DTTOs, younger people involved in the justice system, unpaid work, prison social work and throughcare, and individuals deemed high-risk, as well as those with a more general locality-based JSW remit.

Those assisting with recruitment were provided with information sheets about the research to share with professionals and with clients. JSW professionals liaising with clients about participating were asked to emphasise the voluntary nature of involvement in the research.

JSW professionals took part in a mix of group discussions and paired or depth interviews, depending on the numbers of interested participants and fieldwork practicalities (e.g. participant availability). Groups were split by area and level so that participants could discuss similar experiences and to encourage more open discussion about strengths and weaknesses of current delivery. Interviews with professional partners were either one-to-one or paired depth discussions.

Interviews and groups with professionals were primarily conducted via video or telephone, while discussions with JSW clients were primarily held in person (in JSW premises), except where client preference or the feasibility of arranging a face-to-face discussion necessitated a remote interview.

All fieldwork was conducted by the Ipsos research team using flexible topic guides (agreed with the Scottish Government) to ensure that similar issues were covered across interviews, while allowing for different experiences and perspectives to be explored (see Appendix A). The focus of the guides was informed by the national stakeholder workshop and the literature review.

With the participants' permission, groups and interviews were audio-recorded to support subsequent analysis. Interviews were summarised into a thematic matrix, organising the data into pre-set and emergent themes, to allow for systematic analysis to identify patterns, differences and details in the views expressed.

Scope and limitations

Any research is subject to limitations and it is important to consider these when interpreting the findings.

The research which these findings are based on was qualitative in nature, supported by wider literature which was also frequently qualitative. Qualitative research is intended to understand the range and nature of views on an issue in detail. It is not intended to measure prevalence. As such, this report avoids using quantifying language as far as possible (including terms such as 'most' or 'a few').

While the sample was designed to ensure we heard from a wide range of participants, it is not comprehensive – it is possible that stakeholders in other local authorities, or with different roles within the case study local authorities, might have held views that are not represented here. In particular, we did not speak to representatives of the Scottish Courts and Tribunals Service (SCTS) or Sheriffs as part of this research.⁶ Moreover, as the research was based on a local case study approach, national organisations were not included as interviewees (although a number of national organisations were involved in the initial workshop which fed into the topic guide design).

⁶ The Scottish Sentencing Council's 2021 paper on [Judicial perspectives of community-based disposals](#) provides some recent insights into judicial views on JSW and how this impacts on their decision-making around community disposals. Meanwhile, the Scottish Government's 2022 interim report on [Decision-making on bail and remand](#) touches on how perceptions of JSW resources impact on judicial decision-making around bail options.

The researchers were reliant on assistance from JSW teams in recruiting clients to the study. As such, it is possible that those with weaker relationships with JSW were less likely to agree to take part. However, those who did take part expressed a range of views, from positive to more critical, providing some confidence that overall clients were not ‘cherry picked’ for participation.

The topic guides developed for the research were designed to ensure that key issues were covered across interviews. However, as the scope of the research was wide ranging, it was not always possible to explore every theme in the same depth in every interview. Where there was less detailed discussion of a particular theme, this is noted in the relevant chapter.

Finally, at the point in time the research took place, the Scottish Government was still developing its plans for the NCS, including options for including JSW within the service. As such, the research team were not in a position to relay a definitive or detailed description of what this might look like. Participants’ views on the NCS were therefore based largely on what they had seen and heard at that point in time, which may not reflect later proposals. In particular, the research pre-dated the outcome of discussions between the Scottish Government and COSLA around the division of responsibility and accountability between local government and the NCS.⁷

Report structure

Chapters 2 to 6 of this report explore perceptions of the current strengths, challenges and areas for improvement within delivery of JSW.

- **Chapter 2** explores understandings of the ethos, culture and general approach of JSW
- **Chapter 3** summarises views on resourcing and funding of JSW
- **Chapter 4** covers partnership working within JSW, exploring factors that facilitate or hinder joint working
- **Chapter 5** examines views on leadership and governance of JSW, both locally and nationally
- **Chapter 6** assesses views on delivery of client outcomes, with a particular focus on the extent to which this is seen as consistent across local authorities
- **Chapter 7** discusses the perceived implications of JSW either becoming part of the NCS or sitting outwith this new structure
- **Chapter 8** summarises the overall conclusions of the research.

Report conventions

Anonymised quotes from qualitative interviewees are included to illustrate key points. In order to preserve confidentiality, parties are identified only by a group or interview number. Professionals are identified only by their broad professional group, with senior managers (service managers and above) grouped with team

⁷ See [letter from Maree Todd to the Health, Social Care and Sport Committee of the Scottish Parliament](#), 12 July 2023

leader or equivalent, to protect the identities of people in this relatively smaller group. We do not identify which local authority in particular quoted professionals are from, to avoid the risk of their being identifiable.

This work was carried out in accordance with the requirements of the international quality standard for market research, ISO 20252.

2. Ethos and approach of Justice Social Work

Key points

- JSW entails a dual remit, balancing “care and control” and straddling “justice” and “social work” services. Both are seen as central to JSW professional identity and there is an interaction between them in many JSW activities.
- At the same time, there was a perception that, in recent years, resourcing pressures have led to practitioners needing to prioritise regulation, risk management and governance in recent years over more rehabilitative and desistance-focused work.
- Core professional values include: a focus on relationships; a commitment to partnership working; and a trauma-informed and holistic approach. While these reflect core ‘social work’ values, the delivery of JSW as a specialism was also seen as a key strength.
- JSW professionals had mixed opinions on the degree to which their partners understand their role and remit. However, wider professional partners interviewed for this research were positive about JSW’s problem-solving and “can-do” approach.
- Overall, clients spoke very positively about JSW and appreciated their non-judgmental, person-centred approach. However, JSW’s dual role was associated with some tensions over how open clients felt they could be with their justice social worker.

JSW professionals did not feel the general public understood their role and expressed concerns about how JSW was represented in the media.

This chapter examines perceptions of the specific role and ethos of JSW. Understanding the extent to which there is a shared vision for JSW across the profession, their partners, clients and the wider public helps contextualise wider perspectives on management and leadership, partnership working and service delivery.

Justice Social Workers’ identity and values

As described in chapter 1, the role of JSW combines both supporting clients to achieve positive outcomes and managing risk in the community. JSW professionals were acutely aware of this dual “care and control” remit, which was seen as central to their professional identity:

“Care is really important, but we’re in a unique position that we have to manage that in relation to risk.”

(Senior managers / team leaders interview 5)

In discussing this dual role, a distinction was sometimes drawn between JSW in Scotland and the Probation Service in England, with the latter seen to focus primarily on risk management at the expense of also pursuing client welfare and ‘social justice’ outcomes. However, while one view was that JSW remained strongly focused on client welfare, another was that in Scotland too, resourcing issues meant that in practice the balance had tilted further towards public protection / risk management and governance roles in recent years, leaving JSW with less time to undertake the kinds of activities that can support rehabilitation and desistance (see further discussion on resources in chapter 3).

A related element of JSW’s ‘dual identity’ is the way in which it straddles ‘justice’ and ‘social work’ services. JSW professionals felt that both aspects were important to their professional identity, although views on the balance between them varied – even sometimes within the same interview, as illustrated in the quote below:

“Justice first for me, I have worked with justice...I have been a justice social work assistant for 20 years, I have never done anything else, and to me I wouldn't, I couldn't see myself fitting into any other kind of role other than justice. So, yes, I would definitely say justice first. Social work is obviously the most important thing, because at the end of the day, we are dealing with welfare, we want to make sure the service users that we are working with are getting a really good service in particular.”

(Paraprofessionals interview 2)

Other key professional values highlighted as being core to JSW included:

- A focus on developing **strong positive relationships** with clients, which was seen as essential to delivering outcomes
- A strong commitment to **partnership working** – as discussed in chapter 4, this was seen as integral to delivering on both public protection and client outcomes
- An understanding of **trauma-informed practice** and the link between offending and underlying mental health issues, addictions and trauma
- A **holistic approach**, understanding clients within their wider context.

While these values may reflect core ‘social work’ values, the fact that JSW is delivered as a specialism within social work (rather than by a generic social work service or a probation service) was also seen as a key strength. JSW professionals highlighted how they felt their skillset differed in certain respects to other social work services, for example carrying out different kinds of risk management and the specific statutory nature of their role.

“It is the values, it is the ethics, it is the social work lens that I think is really unique worldwide [...] you've got a qualified social worker who is looking at welfare alongside public protection, and I think that is a huge strength.”

(Senior managers / team leaders interview 1)

Overall, the strong ethos and commitment of the JSW workforce was described as a key strength by more senior managers and team leaders, who described their staff as “passionate”, “motivated”, and willing to “go the extra mile.”

Other stakeholders' views of JSW

Professional partners

JSW professionals' own perceptions of how JSW is viewed by other services varied both between different JSW professionals and depending on the other service in question. While one view was that JSW values and remit were reasonably well understood, another was that other services – including other branches of social work – did not fully understand their role. In particular, there was a perception that in some cases other justice services saw JSW as a “soft-touch” and more focused on welfare than on risk management:

“They [the police] see us as very social work, bleeding hearts.”

(Justice social workers interview 2)

In one area in particular, there was a belief that other services were not aware of the degree of responsibility that justice social workers carried and that in discussions about risk, partners were not always willing to listen to their professional opinions, viewing them as less knowledgeable than, for example, medical professionals. Team managers also felt that there was a tendency for JSW to be blamed by other services when problems arose with case management. Specific challenges were also raised by paraprofessionals in another local authority, who commented that requests for information were dismissed because of their job title and that they have more success when asking a question as a “trainee social worker”. There was a general sense across local authorities that there is more to do to increase partners' understanding of JSW

The wider professional partners interviewed for this study (see p3 for a summary of these) generally felt they had a good understanding of JSW's role. This included representatives from Police Scotland, who in contrast with the comment above generally perceived a close alignment between their aims and values and those of JSW. This is perhaps not surprising, since those interviewed were nominated by JSW service managers as key partners they work with on a regular basis – their views may not be representative of other partners who they work with less closely, or of Police in other roles, for example. Across the board, wider professional partners said they valued the problem-solving and “can-do” approach of JSW and their commitment to joint working.

Clients

Overall, clients interviewed for this research spoke very positively about the approach and ethos of the JSW professionals they were currently working with. Their comments emphasise the value they place on JSW taking a non-judgemental, person-centred approach:

“There is no judgement ... I’ve always felt supported and not just listened to but actually heard”. ”

(Client interview 7)

“It is not like you are another number”

(Client interview 3)

However, at the same time as clients were generally very positive about the support they were receiving from JSW, it was also clear that they were aware of their dual role. In one group, clients discussed a perceived tension between feeling their justice social worker was “trustworthy” on the one hand, and being suspicious that they could use any information they share against them on the other. For example, it was suggested that being completely open about mental health problems could result in justice social workers "ticking a box" in their risk assessment which moved them to a higher risk category. While there was a recognition from clients that this monitoring element of JSW was important, even when it might feel "harsh" to them personally, they suggested that there could be greater transparency about what is and is not logged about clients' conversations with JSW.

Clients interviewed for this study also observed that the extent to which JSW professionals were supportive and understanding as described above did vary between local authorities – discussed further in chapter 6, which considers consistency of services.

General public

JSW professionals felt that the general public is not generally aware of the work they do, and do not appreciate its value. One view was that JSW as a profession is not making sufficient effort to explain this and to increase public understanding of their role in both rehabilitation and public protection. A perception that JSW received a “bad press” in the media was a particular concern: it was suggested that negative public scrutiny contributes to staff leaving or dropping out from cases that they perceive to have a higher risk of becoming controversial. Suggested responses to negative media coverage are discussed in more detail in chapter 5.

3. Funding and resources

Key points

- In line with the literature review carried out for this report, challenges around resources came out as a strong theme across interviews with JSW teams and their professional partners.
- Multiple factors contribute to resourcing challenges, including: a perceived increase in expectations, demand and in the complexity of client needs; overall funding levels and sustainability; staff recruitment, absence and retention; availability and organisation of training; suitability of physical resources (including office space); issues around external services' resources; and area-specific issues, including challenges arising from the geography of rural areas.

Resourcing issues had impacted JSW professionals in terms of their role and morale and ultimately were seen to impact on quality of service and support for clients.

Introduction and context

JSW in Scotland is funded through three main avenues: Scottish Government ring-fenced Criminal Justice grant to cover local authorities' statutory demands, fixed at £86.45 million per year since at least 2010-11; transfers to local authorities from Scottish Government Community Justice budgets (estimated at £19.4m in 2021-22); and other funding sources, including local authorities' own budgets.⁸

JSW is the smallest of the social work professions in Scotland in terms of numbers of staff: in 2020, there were 937 main-grade or senior justice social workers (a slight increase from 898 in 2011).⁹ Including paraprofessionals and other support staff, the total headcount for the JSW workforce in 2022 was 2,030, down slightly from 2,100 in 2013.¹⁰ The size of JSW teams varies significantly between local authorities – across the case study areas included in this research, Glasgow have over 200 qualified social workers working in justice, while in contrast Argyll and Bute have around 13 justice social workers and 3-4 paraprofessionals.

The literature review conducted as part of this research highlights substantial resourcing challenges impacting on JSW and the wider social work workforce. Miller and Barrie have argued that a combination of external factors “have left much of the social work workforce with larger, more administratively demanding and less balanced caseloads comprising individuals with more challenging lives, often

⁸ [Social Work Scotland: Pre-budget scrutiny report 2023-24](#)

⁹ [Justice Social Work in Scotland](#)

¹⁰ [Scottish Social Service Sector Report on 2022 Workforce data](#)

presenting higher levels of risk”.¹¹ At the same time, resourcing pressures across the wider public and voluntary sector mean “there are fewer services available to connect people to”.¹² These pressures are reflected in surveys of social workers: summarising findings from 2020-22, the Scottish Association of Social Workers found that “50% described their current caseload as ‘not at all’ manageable.”¹³

This chapter explores views on resourcing in JSW across the six case study areas. It discusses the various, often interlinked, elements believed to be contributing to resourcing challenges in JSW and considers the impacts of these issues for JSW staff, their partners and clients. Finally, it summarises participants’ suggestions for tackling these resourcing challenges.

Factors impacting on resourcing

Increased need, demand and expectation

Challenges around resources were a strong theme in interviews with JSW teams and their professional partners across all case study areas. Echoing the literature review, there was a clear perception that demands on JSW have increased but that resources have not kept pace with this demand, reflecting a range of factors elaborated on below.

“If you look at what’s expected of Criminal Justice Social Workers from even ten years ago to what they’re expected to do now ... the work that’s placed on social workers is absolutely massive.”

(Senior managers / team leaders interview 8)

This increased need and demand related partly to a perceived increase in the complexity of client needs reflecting external factors (such as the cost of living crisis impacting on deprivation levels) and partly to the changing policy and legislative context for JSW. Specific examples of the latter included: the perceived increased complexity and length of risk assessments and associated paperwork; the volume of MAPPA (Multi Agency Public Protection Arrangements) meetings; the increased volume of Community Payback Orders (as a result of the Scottish Government’s policy of limiting the use of short-term sentences)¹⁴; and new responsibilities stemming from policies around diversion from prosecution. While these broader policy developments were generally welcomed in terms of their potential to improve outcomes, they contributed to an expanded JSW workload. JSW staff also felt they were still dealing with a backlog of cases as a result of the Covid-19 pandemic, which were contributing to high workloads.

¹¹ Miller, E and Barrie, K (2022) [Setting the bar for Social Work in Scotland](#), Social Work Scotland, p.i (Executive summary)

¹² Miller, E and Barrie, K (2022) [Setting the bar for Social Work in Scotland](#), Social Work Scotland

¹³ [Working conditions and wellbeing of social workers: summary of surveys 2020-22](#)

¹⁴ The Scottish Government’s (2022) *Vision for Justice in Scotland* identifies a range of ‘changes and challenges’ both within and beyond JSW. In particular, and in reference to Criminal Proceedings statistical data in Scotland, it is noted that the proportion of community sentences imposed as a main penalty for all convictions is the highest it has been for the last ten years.

Increased bureaucracy and paperwork was a particular issue for justice social workers, who not only reported having far more paperwork to complete but that administrative support resources had been cut back over time. One view was that an increased risk aversion across the public sector as a whole had led to a greater focus on “form-filling” and evidencing every decision, without proper consideration of the impact of this on capacity to deliver more therapeutic aspects of JSW. There was also a perception that the Covid-19 pandemic had created a backlog of cases which had contributed to increased workload in more recent years.

Funding levels

In the context of increasing demand and expectations, the overall level of funding available to deliver JSW was seen as falling short of what is needed. While it was acknowledged that additional funding was sometimes made available to take account of new JSW responsibilities, there was a perception that this was often insufficient. As an example, a senior manager argued that the £700 they received for managing a diversion from prosecution simply did not reflect the amount of staff time this required and was based on an outdated funding formula. Team leaders in another area estimated that they would need around 3-4 additional justice social workers per team in order to deliver all that was currently expected of them effectively and without staff burnout.

In addition to comments on the overall level of funding, JSW professionals noted that funding was not always provided on a sustainable basis, both in terms of short-term Scottish Government grants and additional local authority funding for JSW. There was also some frustration with restrictions on how JSW funding can be spent, with a desire for more resource to be allocated to preventative work. However, at the same time it was felt that maintaining the current level of statutory service would be challenging if resources were diverted to prevention (and no additional resource was made available).

Staff recruitment, absence and retention

“The main challenge is not what we do, but who we have available to do the work”.

(Justice social workers interview 5)

At the same time as there was a perceived need to increase the size of JSW teams in response to increased demand, staff recruitment, sickness absence and retention were also identified as major challenges that were creating very significant issues in terms of JSW teams’ workloads and ability to deliver for clients. Pay rates (including variations in pay rates between neighbouring areas) for JSW were perceived to be a significant barrier to recruitment, particularly for areas with high housing costs. Fluctuations in budgets also made it difficult for some JSW teams to plan recruitment.

"If you want a stable workforce you need a stable budget"

(Senior managers / team leaders interview 13)

Views on the intensity of issues with recruitment and retention varied between case study areas and, to a degree, within areas, with justice social workers and paraprofessionals sometimes raising these issues to a greater extent than senior staff. However, overall there was a perception that resourcing issues have become a vicious circle for some JSW teams, with heavy workload resulting in both higher levels of sick leave and difficulties with staff retention, which in turn increases workload among remaining staff. Meanwhile, high workloads reportedly acted as a barrier to teams offering places to students to shadow JSW teams, which had negative impacts for the pool of people available to recruit from subsequently.

Even without these additional issues, there was a perception that it can be hard to find workers with the right set of skills for JSW. Justice social workers and their wider professional partners describe the profession as highly skilled and specialised, with specific risk assessment training and a considerable amount of hands-on experience required to properly fulfil the role, meaning that new recruits were rarely able to take on a full workload immediately. In this context, the availability and timeliness of training was also a resourcing issue.

Training

Training was raised as a resourcing issue both in terms of availability and the impact that attending training has on wider team resources. There were mixed opinions both between and within case study areas on whether current training was sufficient to meet the needs of JSW. One view was that consistency and availability of training had improved since Community Justice Scotland (CJS) took over responsibility for delivering this nationally. However, others expressed the opposite opinion with respect to availability, reporting long waits to access mandatory national training courses to enable staff to start fully exercising their professional responsibilities:

"I think probably since training was taken over as a national thing it is been a bit of a disaster really and scheduling of training courses and availability of places in training courses it's really not fit for purpose. And for basic risk assessment training that everybody needs you can be waiting for ages for it so you leave staff and service users really vulnerable to the quality of work they are able to do [...] I think training was much better whenever we had a little bit of local control on it"

(Senior managers / team leaders interview 1)

It is important to note that where issues were raised in relation to CJS training, these were specifically focused on accessibility and frequency, and not on quality. Feedback from attendees shared by CJS indicates very positive views on the quality of their training provision.

The Covid-19 pandemic was also believed to have had an impact on training availability in recent years. Justice Social Workers commented on the perceived lack of a clear 'national pathway' for JSW courses, while support workers thought the options available to those who wanted to train to be justice social workers had

narrowed, with no option to progress professionally without enrolling in formal university-based courses. It is worth noting that the Scottish Government and others are currently developing an Advanced Social Work Practitioner Framework for social work, which may be a vehicle for providing a clearer national pathway.

The current organisation and location of national training courses was also seen as exacerbating more immediate resourcing challenges within JSW teams. Lack of resource made it difficult for staff to find the time to access the training they needed to provide the best quality service for clients. It was suggested that this was a particularly acute issue for those based furthest from the central belt. As an example, it was noted that the current Unpaid Work training course runs over five consecutive days, which for those outside the central belt may involve significant travel and overnight stays and knock-on impacts for the wider team covering their work. There was also a perception that the training courses on offer nationally were not always appropriate to delivery in a rural setting – for example, domestic abuse programme training was felt to focus on group work which is not always feasible in remote areas.

Physical resources

In addition to resourcing related to staff numbers and time, participants also discussed issues relating to the physical resources available to JSW teams. In particular, justice social workers mentioned concerns about office spaces not being fit for purpose, particularly in terms of spaces for confidential conversations. It was noted that some offices previously used by JSW had not re-opened after Covid-19 restrictions were lifted, while other JSW teams had switched to “agile working” or “hot-desking” which again was not always seen as suitable from a confidentiality perspective. Budget restrictions also reportedly impacted on physical equipment available to JSW teams in some areas, from outdated laptops to vehicles used by unpaid work teams not being fit for purpose.

External resources

Wider resourcing pressures in the public and third sectors have been well documented in recent years, and the impacts of partners’ resources for JSW was discussed at some length in interviews. This is covered in chapter 4, which focuses on partnership working.

Geography

While all case study areas discussed issues around resourcing, the precise nature of these issues varied. For example, JSW professionals in Glasgow discussed the significant workload and resourcing challenges associated with a very large and complex caseload, including many clients with acute and multiple additional needs (relating to particularly high levels poverty, substance misuse, etc.). Meanwhile, those covering more rural areas (particularly Highland and Argyll and Bute, but also parts of Fife and South Lanarkshire) discussed the ways in which rural geography compounded or complicated resourcing of their services. Issues included: substantial additional travel time and costs for both professionals and clients; a lack of third sector partners (discussed in chapter 4); and challenges attracting a qualified workforce to more remote areas.

“There are unique challenges in [NAME OF AREA] because of the sheer complexity of our geography, much more complex than delivering services in the central belt, much more expensive. And the planning is more complicated because what you do in [urban area] will look quite different from [remote rural area] and often some of the policies are very central-belt-centric”

(Senior managers / team leaders interview 14)

Specific examples of policies perceived as ‘central-belt centric’ that were perceived to add to the challenges of delivering effectively within current resources included requirements for face-to-face bail supervision meetings three times a week, which were difficult to meet when clients were extremely geographically dispersed. The design of national programmes delivered by JSW, such as the Caledonian System domestic abuse programme and Moving Forward: Making Changes for those convicted of sexual offences, was also viewed as ‘central-belt centric’. Both are designed to be structured around face-to-face group work sessions, which again was viewed as much more challenging to implement with a dispersed population. The relatively smaller size and geographic dispersal of JSW teams across areas like Argyll and Bute and Highland was also seen as creating specific challenges around covering any gaps in staffing as a result of retention or sickness issues.

Impacts of resourcing issues

Resourcing issues were felt to have very substantial impacts on JSW professionals’ ability to deliver their role and, by extension, secure positive outcomes for their clients (impacts on partner organisations are discussed in the following chapter).

For JSW professionals

“We are not designed for cutting corners”

(Senior managers / team leaders interview 10)

The central impact of these resourcing issues for justice social workers was feeling that they could not do their job in the way they would wish, either at all or in a way that was sustainable for their own work-life balance. As noted in chapter 2, there was a perception that the role of JSW had become squeezed due to resourcing pressures, with the time required for risk-management, governance and paperwork to meet key targets leaving them with less time to do the rehabilitation or desistance-focused work that they viewed as core to their role and ethos, and still less to invest in prevention.

“the time you’ve got is really limited [...] I think the offence focus[ed] work, which is the whole purpose of why we are doing the job in the first place really – to reduce offending – it is what takes a back seat, unfortunately”

(Justice social workers interview 6)

In rural areas, where there were fewer additional third sector resources to provide support to clients, it was suggested that this was both “a challenge and a strength in a way”, in that JSW teams were still spending substantial time doing one-to-one rehabilitative or desistance-focused work as there was no one else to provide this, resulting in “strong connections” with clients. However, the workload pressures on

individuals and teams were felt to have become extremely difficult to sustain: as one rural team leader put it, “it does reach breaking point”. These views closely align with those found in Miller and Barrie, where social workers reported that the least satisfying things about their job was the high caseload, high administrative workload as well as the lack of time for preventative work (less than 16% of respondents felt they had enough time for preventative work).¹⁵

Where there was a perceived lack of suitable office space for JSW teams, this was also felt to be impacting negatively on new social workers, by restricting opportunities to shadow, work with and learn from others. In addition, there were concerns that remote working was reducing networking opportunities, impacting on information sharing (and by extension risk management), and could ultimately make workers more vulnerable to mental health issues such as burnout and vicarious trauma. More generally, although there were examples of participants who felt their area did a good job of supporting staff, there was some concern about the level of support to help JSW professionals deliver a highly demanding role and workload.

For clients

For JSW professionals and their partners, the most significant impact of all the resourcing issues discussed above was on the effectiveness of the support provided to clients, discussed further in chapter 6. This in turn was believed to translate into increased risk and lower success rates for Community Payback Orders. At the more extreme end of these impacts, a professional partner cited examples where they understood that people had not been released from prison because of a perceived lack of sufficient support within the community to facilitate a safe transition.

Clients interviewed for this study also reflected on the impacts of resourcing issues on the quality of support that they received from JSW – discussed further in chapter 6.

Suggestions for improvement

- **Increased and more sustainable funding** – ultimately, resolving the issues above was seen to require additional, sustainable funding, rather than “short-term non-recurrent pots of cash.” As one participant put it, “sometimes it is about people but ultimately is about funding”. However, it was recognised that many of these challenges are not unique to JSW and reflect the wider financial landscape for public services; one participant reflected that there needed to be more honesty about what can actually be done within the resources that are available.
- **Holistic review of staffing requirements and challenges** – reflecting the point above, it was suggested that there needs to be a holistic review of both the level of staffing needed to properly fulfil JSW’s role, and the challenges around recruiting sufficient staff. The latter should take account not only of pay

¹⁵ Miller, E and Barrie, K (2022) [Setting the bar for Social Work in Scotland](#), Social Work Scotland

but also of wider issues such as differing local housing contexts and routes into social work (there was a perception that if people have to move from a rural area to a city to qualify, they are less likely to end up returning to work in a rural area).

- **More flexibility within resources that are available** – while funding was clearly seen as central, it was also suggested that having the flexibility to use funding in different, more imaginative or innovative ways, would help improve JSW. This was discussed by senior leaders in the context of funding being allocated for specific purposes, which was seen as potentially stifling creativity within JSW.¹⁶
- **More administrative support** – as discussed above, the volume of paperwork/administrative tasks was identified as a particular frustration for justice social workers, impacting on both morale and time for desistance-focused work. There was a strong desire for the level of administrative support to be increased to be more in line with previous provision to teams.
- **More support staff** – to help with both administration and practical issues around case management.
- **Reducing the burden of administration** – as well as providing additional support staff, it was suggested that administrative tasks also needed to be made less repetitive and time-consuming in themselves.
- **Improvements to office spaces and working practices**, such as improved access to confidential meeting spaces, and considering whether ‘hot desking’ is appropriate for JSW teams.
- **Updating physical equipment**, such as laptops and vehicles, where needed.
- **Reviewing the availability and suitability of current training** – including ensuring there are sufficient places available and that they meet the needs of those outside the central belt, both in terms of location and relevance to the services they deliver (for example, taking account of barriers to delivering interventions via group work in rural areas).
- **Improved mental health support for JSW teams** – as discussed above, there was a perception that there could be better support structures for JSW professionals, both locally and nationally.

¹⁶ This was a distinct point from the overall JSW budget being ringfenced, which received strong support across participants.

4. Partnership working

Key points

- The nature and extent of partnership working was generally viewed as a strength of JSW by both JSW staff and their wider professional partners.
- JSW has a wide range of key local partners, including other branches of social work, wider justice services, other local authority services, the NHS, and a variety of third sector services.
- Inevitably, at local level some partnerships were viewed as easier or more effective than others and participants discussed a number of factors that either facilitated or hindered effective joint working.
- Co-location can substantially strengthen partnership working by helping staff develop working relationships, support knowledge and information sharing, and make it easier to link clients with services.
- Effective communication and information sharing supports risk management, but was felt to be hampered by a combination of ICT systems and restrictive policies and practices around information sharing among some partners.
- Statutory frameworks such as MAPPA can help ensure consistency in partnership working and decision making.
- Partnership working relies on sufficient resources in terms of funding, time, staffing and access to services, not only for JSW but also crucially for their partners.
- Where JSW or their partners felt they shared a similar ethos or values, this was viewed as helping to facilitate joint working. However, JSW did not always feel wider professional partners fully understood their role.
- Opportunities to share best practice with colleagues from other areas across Scotland were valued by JSW staff; there was a desire to increase these opportunities, especially for those below senior management level.

Introduction and context

This chapter covers views on partnership working, from the perspectives of both justice social workers and their wider professional partners – who are JSW's key partners, and what are the factors that support or hinder effective partnership working?

Partnership working has been a long-standing focus within the justice sector. The most recent National Strategy for Community Justice (2022¹⁷) explicitly recognises that the effective risk management and social integration of justice involved people

¹⁷ Scottish Government (2022) [National Strategy for Community Justice](#)

requires a collaborative, holistic and multi-agency partnership approach. Recent legislation designed to improve partnership working which impacts on JSW has included: the creation of Community Justice Authorities (2006), later replaced by Community Justice Partnerships (CJPs, 2016); Multi Agency Public Protection Arrangements (MAPPA) (2007), which require bodies to cooperate on risk management; and the Public Bodies (Joint Working) Act 2014 which underpins arrangements for the integration of health and social care, establishing 'integration authorities' whose aim is to facilitate effective partnership working between NHS boards and local authorities.

The literature review conducted for this research highlights the wide range of partners with whom JSW needs to work to meet their client support and public protection responsibilities. These include: Children and Families and Adult social work teams, the NHS (particularly, but not only, mental health services), Alcohol and Drug Partnerships, Community Justice Partnerships, Community Justice Scotland, the Fire and Rescue Service, Skills Development Scotland, Victim Support, Police Scotland, the Scottish Prison Service, the Procurator Fiscal's Office, the Scottish Courts and Tribunals Service (including Sheriffs and court staff), education, employability services, local authority housing teams, and third sector organisations delivering a wide range of services their clients may need.

The extent to which different JSW partners are embedded within the structures described above (e.g. CJPs and HSCPs) varies across local authorities, with the complexity of governance arrangements under HSCPs reportedly leading to some tensions between partners.¹⁸ The existing literature also indicates that having multiple IT systems amongst partners constrains capacity for effective information sharing.¹⁹

Key local partners

The organisations identified as key partners across the six case study areas included in this research closely reflected those identified in the wider JSW literature review, delineated above. Perceptions of the most important partnerships varied with participants' specific roles - for example, JSW staff who were part of a dedicated court team were more likely to mention court staff, Sheriffs, and SPS, while those responsible for supervising DTTOs were more likely to mention the NHS and addiction services. The availability of particular services locally was also a factor, as discussed below.

Overall, both JSW professionals and the partners interviewed for this research were very positive about the nature, quality and impact of many of their working relationships with partners in terms of:

- Effective risk management through sharing of information

¹⁸ Care Inspectorate (2021) [Justice overview report 2018-2021](#)

¹⁹ See for example Grant S., Buchan, J., and O'Donnell, A (2020) [Probation in Europe: Scotland](#). Confederation of European Probation.

- Navigating access to appropriate support for clients
- Sharing resources and knowledge, viewed as particularly important during an emergency situation such as the Covid-19 pandemic or if a client presents during a crisis, and
- Providing additional resource to deliver relevant JSW services.

As one senior manager put it:

“I would struggle to see how justice could function effectively and as effectively as it can without a real fundamental integrated approach across services.”

(Senior managers / team leaders interview 13)

However, inevitably some partnerships were viewed as easier or more effective than others at local level. Participants discussed a number of factors that either facilitated or hindered effective joint working.

Factors impacting partnership working

Co-location

Across the six case study areas included in this research there were various examples of JSW staff being co-located (based in the same office/building) with other services. The precise configurations varied both between and within areas, with examples including: JSW teams being based within courts; sharing offices with other social work teams and / or with housing; or being based in large multi-agency centres where many key local authority and other public sector partners are also located.

Participants described how co-location can substantially strengthen partnership working by:

- Helping JSW staff to **develop personal relationships** with staff in other services. There was a perception that staff in other services were less likely to decline requests that were made in person.
- Supporting **knowledge and information sharing** by providing opportunities for staff to communicate informally. This helped support risk management by facilitating discussions about potential issues.
- Helping staff develop a greater **understanding of each other's service** provision, which was particularly useful for newer staff learning about partner services. At a more senior level, co-location supported joint strategic planning.
- Making it quicker and easier to **link clients with the services they need**. Co-location was mentioned as particularly important if a client needs help quickly during a period of crisis. It also made it easier for JSW staff to accompany services users to meetings where necessary.

“When you are part of an area team and you're co-located with addiction, homeless casework, children and families, lots of those relationships develop very organically...for clients as well, it can be one stop. They come to the social work department and can see their addiction worker, they can link in with their children and family's worker, so there is massive, massive, benefit to that kind of model and provision of service.”

(Senior managers / team leaders interview 7)

While in general, the positives of co-location were seen to outweigh any challenges, JSW professionals did discuss some practical issues that need managing, including access to meeting rooms and private spaces (particularly important given the confidential nature of many JSW-client conversations) and managing risk when different groups of services users may be accessing busy reception and waiting areas.

“...there are issues if we share with Children and Families, not least registered sex offenders coming and visiting, but the benefits of being co-located with other services I think outweigh the challenges”

(Senior managers / team leaders interview 8)

The specific services JSW are co-located with is also obviously relevant: in one area where JSW was located within a court building, the team also reflected on the potential negative impacts they felt this had on clients in terms of revisiting the place where they were convicted to access services. Their preference was to be co-located with other social work services rather than other justice services as they felt the message it sent to clients was “almost at odds with the model of what we are trying to achieve” in terms of welfare and support. Nevertheless, overall, it was clear that JSW professionals viewed the benefits of co-location as outweighing any negatives.

Integrated teams

There were also some examples where staff members from other services were integrated within JSW teams. For example, the Women's Justice Team in one case study area includes an NHS nurse and a third sector staff member who attend staff meetings and deliver services for clients. In another area, there is a programme for vulnerable women delivered by JSW, Children and Families social work and addiction services. Integrated teams were seen as supporting positive outcomes by recognising and addressing the multiple support needs of particular JSW client groups. One suggestion was that embedding a mental health worker in every JSW team would be beneficial, given the prevalence of mental health issues among their clients and the reported difficulties accessing these services (discussed further below).

Statutory framework

The statutory framework governing key elements of the responsibilities of JSW and their partners was seen as an important facilitator of joint working with key partners. Through MAPPA there are requirements for regular meetings and statutory

guidance around attendance and roles²⁰ which was felt to help ensure consistency in partnership working and decision-making. MAPPA meetings were generally described as productive with room for differences in opinion to be aired. Partnership working under MAPPA was contrasted with the challenges that can arise around joint working when there is no equivalent shared statutory framework.

“...there are very clear guidelines set out through legislation in regards to joint working and risk assessments based on case conferences, [and] the frequency of them based on the offender’s risk, so because everything is very tight and clear as it’s laid out there are regular meetings and we do effectively use emails to ensure all information is shared with all the agencies...[by contrast, in addiction services] it’s very much on a voluntary basis, the customer has a wee bit more control over this, so if they don’t engage, the agencies can’t work more effectively together.”

(Wider professional partner interview 10)

Communication and information sharing

Discussion of the benefits of co-location often focused on its impact in supporting effective communication. More widely, participants highlighted the importance of proactive and regular communication between partners who need to work together to support JSW clients, particularly ensuring that there are communication channels outside crisis management and channels for informal discussion of issues affecting JSW.

JSW’s local professional partners interviewed for this study were generally very positive about the quality of communication from JSW. They appreciated JSW staff taking the time to reply to emails, attend meetings and share information, in some cases contrasting this with the lower level of communication they felt they received from other services.

Participants reflected on multiple aspects that underpin good communication including: opportunities for joint meetings, staff willingness or ability (depending on organisational policies and practice) to share information, and the interface between ICT systems.

Attendance at multi-disciplinary meetings (in addition to MAPPA and Community Justice Partnership meetings) was mentioned by several participants as supporting effective communication. For instance, in one area a social worker described how it had been helpful for them to attend NHS meetings, because JSW often have the most contact with clients and can share information with other relevant health teams. At the same time, JSW staff did not always feel that they were included in all relevant meetings (including those relating to individual clients) – for example, a manager discussed the fact that they were not always invited by Children and Families colleagues to meetings concerning their clients. There was also a perception that JSW were not always listened to by other partners. For example,

²⁰ See [MAPPA: national guidance](#) (March 2022)

senior staff in one area discussed a case where their recommendations and requests in relation to a clients' safety were not taken on board by other services.

Concern was also raised around a lack of information sharing by some partners, which JSW professionals felt could affect risk management. Challenges were discussed with respect to the Scottish Prison Service, the Scottish Courts and Tribunals Service, the NHS, and Police Scotland. For example, JSW professionals in one area noted that justice social workers used to receive custody lists from Police Scotland but that these are now only sent to senior managers which slowed down the process of identifying when their individual clients had been picked up by the police. Senior leaders in another area raised specific concerns about JSW not being made aware of level one orders for unpaid work by courts, which they felt raised issues for how they meet their KPIs and managed risk in the community.

“we had one [level one order] the other day where that order was made ten weeks ago, and we only just got a copy of the order from the court, so that person has been on their three-month order for ten weeks, and we just got it in... if a report hasn't been prepared by us, but a Sheriff or a Justice of Peace has given an order of X amount of hours, if we don't give an order on that day, then we have already missed the KPI.”

(Senior managers / team leaders interview 3)

Paraprofessionals also described getting information for reports from the NHS about addictions or health conditions of clients in prison as a “nightmare” because of NHS policies around consent to share information.

“...trying to get information from the NHS up in the prison is an absolute nightmare...they are insistent on a 'consent to share' form being signed by the prisoner who is not our case...it is a massive barrier particularly when we are trying to get this information within two weeks to get these reports back to the prison, and they won't give us it. So, the reports are going back without that key piece of information [on health or addictions].”

(Paraprofessionals interview 2)

JSW professionals also expressed frustrations with the impact of different ICT systems on information sharing between partners. Staff recognised issues around GDPR and some staff reported that work was underway to try and improve the situation. Co-location was perceived to have mitigated the impact of information sharing issues in some areas (since staff could share information more easily in person). However, staff also mentioned relying on “personal favours” to access information. Where staff can easily share information through shared computer systems this was described as a “huge benefit”.

Resources

As discussed in chapter 3, resourcing issues were a strong theme across interviews. This included a strong emphasis on how partnership working relies on availability of sufficient resources for both JSW and for its professional partners.

The availability of JSW funding to purchase services from the third sector had a direct impact on the scope for partnership working: participants in one area gave examples where partnerships between JSW and the Third Sector had ended or were at risk because of a lack of funding, while a third Sector representative described how year-to-year funding creates insecurity and uncertainty for their staff. Justice social workers in one area noted that they did not always have the budget they needed to fund partners to provide the unpaid work opportunities they felt would best meet their client needs, potentially impacting on their successful rehabilitation:

"The only way we will get a kind of better service that way is to kind of, I suppose, beg at the hands of a charity to say, will you provide a decent placement for them free of charge"

(Paraprofessionals interview 6)

At the same time, the availability of third sector services, or lack thereof, in particular areas also impacted on the scope for partnership. JSW teams covering more rural areas, as well as smaller towns, described a general lack of a third sector provision offering some of the mental health, addictions and employability support often provided to JSW clients by the third sector in Scotland's cities: as one senior manager in a rural area put it, "we're it". It was noted that while some services claim to offer support across the whole of Scotland, in reality this was sometimes only phone support for people in remote areas, which JSW professionals felt did not meet their clients' needs.

Staffing pressures and workloads within JSW was also raised as a barrier to effective joint working. A Housing partner in one area highlighted high staff turnover and sickness rates in JSW as making it difficult for them to find out who to speak to about a client. Wider partners also felt that stretched JSW resources affected the time available for senior staff to focus on strategic work as opposed to immediate service delivery. At the same time, JSW professionals were aware of the pressures on their partners, particularly with respect to the NHS. Availability of mental health services in particular was a recurrent theme across interviews and was perceived to be a nation-wide problem – as one professional partner put it, "health is on its knees". This was seen as creating particularly acute issues around supporting clients with 'dual diagnoses' of mental health and substance misuse issues and as having significant implications for the ability of JSW to effectively support clients to remain in the community:

"That is why people are not lasting in the community because other services, if you are trying to get them placed, they are not coming in, particularly adult services and mental health services"

(Justice social workers interview 3)

In working against a backdrop of resource challenges and constraints, participants highlighted that it is important for services to understand the pressures on each other and to be open about this. For instance, one senior partner within the Scottish Prison Service mentioned that it would be easier for them to raise resource issues

with the Scottish Government if JSW staff were more specific about why they are not able to provide a service for certain clients.

Ethos, culture, values

JSW professionals discussed positive elements of their own professional culture that they felt helped foster partnership including an openness to innovation and a willingness to share information and reach out to other organisations. Several participants noted the importance of the attitudes of senior JSW staff in fostering a culture that supports partnership working.

Where JSW or their partners felt that they shared a similar ethos, this was also viewed as facilitating effective joint working. For example, a participant from Police Scotland noted that JSW and the police have a similar understanding of risk reduction in the context of reducing offending:

“Largely we are of a similar mindset. Our focus is on preventing reoffending...so we have [a] very shared vision. I find the individual social workers that I work with are very very good, they have the exact same thought processes as me...Children and Families social work might attend the same meeting but have a very different perspective, they’re much more focussed on the welfare of the people...”

(Wider professional partner interview 2)

However, where partners were seen as having a different ethos, this could present a barrier to effective partnership working. For example, JSW professionals across several areas felt there was a difference in organisational attitude between JSW and NHS services when it comes to supporting clients. They felt that that NHS services often appeared to operate a ‘two or three strikes and you’re out rule’, whereby if clients do not attend two appointments they are removed from a treatment programme. This was seen as inappropriate given the complexity of JSW clients’ lives and issues and did not reflect JSW professionals’ understanding of a trauma-informed approach.

Overall, there were differing views expressed both between and sometimes within areas as to which partners JSW staff had most in common with - the alignment of priorities between JSW and Police Scotland, described above, was not recognised by all JSW staff, for example. Perceptions depended both on the specific role of the staff member and how they saw their professional identity (for example, where they saw the balance between the ‘social worker’ and ‘justice’ elements of their roles, as discussed in chapter 2).

Other factors impacting on partnership working

Other factors seen as having an impact on partnership working included:

- **Structure** – as discussed further in chapter 5, there were different views on the impact of particular local structures on JSW in general, and different views on their impacts on local partnership working in particular.

- **Remote working** - there was a perception that the ability to build effective relationships with partners has been impacted by the Covid-19 pandemic and the associated increase in remote and hybrid working. Staff recognised the benefits of remote working (particularly for staff covering wide geographical areas) but also emphasised the importance of ensuring there are opportunities for staff to connect face-to-face with key partners (as well as each other).
- **Local connections** – spending time out of the office and actively developing local connections was felt to be particularly important in terms of JSW relationships with the third sector, where there is no central database of all relevant service providers to refer to. In contrast, there was a perception that JSW's relationship with COPFS in one area was not as strong as they would like it to be in part because COPFS was seen as a more centralised service which made it more difficult to make local connections and work towards local priorities.
- **Joint training** – it was suggested that there was scope to increase joint training between services. For example, a wider professional partner working in housing commented that it is good for new JSW staff to have an understanding of homelessness legislation and tenant responsibilities and that they would like to develop joint staff training on this.

Partnership beyond local authority boundaries

Although discussion of partnership working focused primarily on partnerships within local authorities, there was some discussion of partnership working across local authority boundaries and (to a limited extent) with partners in the rest of the UK.

For JSW staff, partnership working across local authority boundaries tended to relate to situations where an individual client is based in one local authority and the court they are required to attend or prison they are sent to is in another. There was a desire for improved partnership working in these circumstances. For example, JSW staff in one area described difficulties in accessing information from courts based in another local authority. Requests might also be received to manage a license on behalf of another local authority, where a person on license wishes to move from one local authority to another. It was noted that there can be disagreement between local authorities on who will take these cases. One view (from a senior JSW professional) was that it is not always obvious who is ultimately responsible for resolving disagreements between local authorities in these situations.

Some senior JSW leaders (Service Manager or above) mentioned partnership working with other local authorities at a more strategic level. This could involve attending MAPPA strategic oversight meetings, Social Work Scotland Justice Standing Committee meetings, Scottish Government meetings to discuss national projects, or meeting with neighbouring local authorities through regional justice forums. Outside individual case discussions, these forums provided opportunities for benchmarking practice and sharing learning.

Opportunities to share best practice with colleagues from other areas were valued by JSW staff and there was a desire to increase these opportunities, especially for

those below senior management level and for staff who work in more remote rural areas. There was a perception among some JSW professionals below senior management level that JSW was quite “siloed” within individual local authorities at present.

There was relatively little discussion of JSW social workers and paraprofessionals working with partners in the English justice system. However, where it was discussed, a number of challenges were identified, particularly around a perceived lack of information sharing around cross-border transfers, which was seen as creating significant potential risk. One participant described difficulties in finding relevant staff contacts within the probation service, and challenges where a sentence handed down in England does not exist within the Scottish justice system.

“I think there has to be a holistic approach, how people come into each country or each segment of the UK, and how do we work with each other. I think that is a matter for the agenda.”

(Senior managers / team leaders interview 3)

Suggestions for improvement

Reflecting the discussion above, there were various suggestions from participants on how to improve partnership working, including:

- **Improvements to ICT systems** to make it easier for JSW and partners to share necessary information in relation to clients.
- Exploring opportunities for **increased co-location** of services, where possible, for the benefit of clients and staff.
- Expanding **integration between teams**, where possible, particularly embedding mental health support within JSW teams to improve clients’ access to these services.
- Exploring opportunities for **joint training** between JSW staff and partners to increase awareness and understanding of the role, responsibilities and capacities of key organisations.
- Considering where there is a need for **further multi-agency forums and networks** which are open to JSW staff and relevant partners at all levels.
- Encouraging JSW staff and partners (where co-located) to **work from the office regularly**, to help develop working-relationships and increase opportunities for information sharing.

Discussions on differences in ethos or approach between partners may also indicate a potential need for wider work aimed at agreeing a common understanding of trauma-informed best practice across partners when working with JSW clients in particular, to address perceived stigma and inequalities in accessing services.

5. Leadership and governance

Key points

- There was limited discussion of local leadership. However, where it was discussed, JSW staff were – with some exceptions – generally positive about leadership quality. Staff valued “active” heads of service, with a social work background who spoke up for JSW.
- Different views on the optimum local management structure were expressed, particularly in terms of the number of tiers. Joint leadership for Children and Families and JSW was seen as important by some senior managers.
- There were mixed views on the impacts of local Community Justice Partnerships on JSW and a perception that understanding of roles and remits between JSW and CJPs could be improved.
- There was no consensus on the impact of integration within HSCPs where JSW had been delegated. Positive impacts included: facilitating closer partnership working; shared learning; and promoting shared organisational values. More negative views included a perception that health “dominates” HSCPs, to the detriment of the voice and (particularly with respect to adult social work) professional autonomy of social work. There was also a perception that Adult social work had been subsumed within health, weakening links across social work.
- There was a sense amongst professionals that JSW is “underrepresented” nationally and that the Scottish Government could provide more national leadership in terms of the direction of travel for the sector and challenging negative media portrayals of JSW.

There was a belief that Community Justice Scotland had not fully realised its national leadership potential, though its role in promoting client voice in community justice was recognised and valued.

Introduction and context

This chapter discusses participants’ views of JSW teams and wider professional partners on leadership and governance issues. It covers perceptions of the impact of local leadership and management structures (particularly whether JSW sits within or outwith a HSCP). It also discusses attitudes towards leadership of JSW at national level.

JSW has been under local authority control since 1968. It became a “distinct entity” within social work in the early 1990s when ring-fenced funding and national objectives and standards were introduced for the first time. Although JSW teams are still situated within local authorities, in practice there are a range of different specific local governance arrangements for JSW across Scotland. Responsibility for governance, planning and resourcing of JSW services has been delegated to the

HSCP in 18 local authority areas²¹, while Highland operates a ‘lead agency’ model, in which the local authority leads on planning and delivery of JSW and Children and Families social work services, while the NHS is the lead agency covering Adult social work. HSCPs have representatives from a wide range of organisations and stakeholder groups, who are jointly responsible for the governance and planning of integrated services.

Social work services are led by a Chief Social Work Officer with strategic and operational responsibilities across the three social work strands. While some local authorities have a Head of Service with specific responsibility for JSW, other Heads of Service can have responsibilities across social work services.

In terms of wider governance arrangements underpinning JSW, under MAPPA relevant authorities (including the police, JSW, and NHS as relevant) are jointly responsible for risk assessment and management of those who pose a risk of serious harm. The Scottish Government has responsibility for policy design of the overall justice system, and the Care Inspectorate has responsibility for inspecting JSW services. Community Justice Scotland is the national leadership body for community justice in Scotland, with a statutory duty to monitor the performance of each local authority area in achieving community justice outcomes. At a local level, multi-agency Community Justice Partnerships (CJPs) are responsible for plans to reduce re-offending and supporting reintegration of those who have committed offences.

The Scottish Social Services Council (SSSC) is the regulator with responsibility for the social work workforce in Scotland. All social workers in JSW are required to be registered with the SSSC, who also set standards for practice, conduct, training and education.

In terms of professional membership bodies, Social Work Scotland represents Scottish social work leaders and has a Justice Standing Committee made up of Chief Social Work Officers, managers from JSW, academics, and those working in the private and voluntary sectors. It works to influence and shape relevant policy and legislation (although it does not have a specific statutory status). The Scottish Association of Social Workers (SASW) is the membership body for social workers at all levels.

Local leadership and governance

Discussions of local leadership within interviews and group discussions was sometimes limited, perhaps because participants did not always feel comfortable discussing their managers. However, where it was discussed JSW staff were generally positive about the quality of local leadership. Leadership and management characteristics particularly valued by social workers and paraprofessionals included: having an “open door policy”; allowing space for

²¹; Aberdeen; Aberdeenshire; Argyll & Bute; East Ayrshire; East Dunbartonshire; East Lothian; East Renfrewshire; Glasgow; Inverclyde; Midlothian; Moray; North Ayrshire; Orkney; Shetland; South Ayrshire; Western Isles (Eilean Siar); West Dunbartonshire; West Lothian. Source: [Health and Social Care Scotland](#)

creativity; and being visible. On this last point, paraprofessionals in one area commented that their managers were helpful but were located in another office area and they would welcome more opportunities for face-to-face meetings.

Having “active” Heads of Service was also important to staff. The service manager in one area described their Head of Service as very involved in terms of information sharing and “bang[ing] the drum for justice”. Staff were also clear about the importance of having a Head of Service with a social work background in terms of effective professional leadership and understanding the pressures facing staff. A manager in one area reflected on the importance of professional background to effective leadership in the context of their own experience in a previous role in which they had managed health staff without having a health background:

“...you were managing health visiting services, paediatric health services, paediatric OTs, physiotherapists, maternity services, as well as Children and Families social work services. So you couldn’t really provide any professional leadership...health staff got quite frustrated when they were taking things up the chain, but actually we didn’t have the professional expertise or the knowledge to actually do anything about it...”

(Senior managers / team leaders interview 5)

In terms of leadership and management structures, senior managers in two local authorities stressed the importance to them of having a joint Head of Service connecting JSW and Children and Families Social work. Strong connections between the two were seen as critical to public protection and prevention, recognising the degree of overlap in the families and individuals JSW and Children and Families support. This arrangement was contrasted with organisational structures in England which were felt to limit connections between justice and Children and Families:

“...we are most often involved with children because of issues with their parents...so that interface in terms of children and justice in terms of that broader public protection is absolutely critical. And when I look at other structures, particularly down south, where they have this very, very separate standalone probation service, I know there are huge challenges, (although) there will be positives as well.”

(Senior managers / team leaders interview 14)

It is worth noting, however, that staff on the ground did not always share the perception of more senior managers that joint leadership necessarily resulted in particularly strong connections between services.

There was some discussion about the appropriate structure for JSW in terms of number of tiers at local level. Although it was also recognised that this may need to vary depending on local authority size, one view was that fewer levels of management was better in terms of simplicity and ease of communication. However, it was also recognised that reducing the number of senior roles has an impact on promotion opportunities within a local area. There was some discussion

about a need for an additional 'senior social worker' role sitting between team leaders/managers and social workers/paraprofessionals, in order to support professional development and help recognise their role in mentoring newer staff members.

In terms of innovations in local management and governance, one case study area had introduced a management position focussing on Quality Improvement in JSW, with responsibility for measuring outcomes, self-evaluation and auditing the service. This role was believed to have helped support innovation and improvement within the JSW team: staff across levels agreed that they are encouraged to share ideas for improvement with management.

“...recently we didn't have a Service Manager for Quality Improvement and that for me has had a significant positive impact on the service and how we go forward. It's the measuring, auditing, feeding back to staff around about what's wrong and how to fix it and also what's right and how good it is...”

(Senior managers / team leaders interview 6)

In contrast, paraprofessionals in another area described their frustrations when what they perceived as “minor mistakes” were dealt with in a heavy-handed way by management, which was demoralising for staff already struggling with a heavy workload.

There were mixed views across areas on the impacts of local CJPs on JSW delivery and outcomes. For example, a senior manager in one area reflected that their CJP includes the local authority Chief Executive and HSCP Chief Officer, which they felt was helpful for raising the profile of JSW in their area. On the other hand, a senior manager in another area felt that their CJP was not as coordinated compared with other areas which meant partnership working was not as strong as it could be.

There was a sense that CJPs rely heavily on information provided by JSW for reporting and generating their plans. This can place a burden on JSW, when services are already stretched; something that was recognised by CJP leads, who highlighted the importance of strong relationships, open communication, and ensuring JSW staff feel valued within the partnership. The CJP lead in one area described how they had developed a “Community Justice Dashboard” which they felt helped with information sharing.

Another theme was a perception that understanding of roles and remits between JSW and CJPs could be improved. CJP leads discussed feeling that partners did not always understand their own role within the CJP or what the CJP is responsible for. To help address this CJS had supported some development work in one area, while in another there were plans to create an online learning resource for staff.

“A lot of people sometimes get confused [about] ‘what is community justice’ and ‘what is justice social work’...sometimes we have to remind partners within justice social work...that they’re a partner and [they shouldn’t] see my role as somebody who contributes to their work.”

(CJP interview 6)

Health and Social Care Partnerships

As discussed in chapter 1, the six case study areas included in this research included two where JSW sits outwith the HSCP and four where it sits within it. There was no consensus on the impact of integration on JSW, with differing views expressed both between and sometimes within case study areas – for example, managers expressing positive views while staff on the ground felt it had made little difference.

Where JSW professionals were most positive about the impacts of integration in their area, they focused on the contribution they believed it had made to: facilitating closer partnership working between services included in the HSCP; better supporting service improvements based on shared learning; promoting shared organisational values; and co-location of services, all of which were believed to have led to better service delivery.

In areas where JSW professionals were more negative about the impacts of integration for JSW, they described challenges relating to organisational size, culture, structure and systems. In particular, there was a perception that health “dominates” within HSCPs. One perceived consequence of this was that Adult social work services was seen to have been ‘subsumed’ within the NHS in some areas, weakening both the professional autonomy of Adult social work and links between JSW and their colleagues in Adult services:

"Looking into NHS-led social work practice, I think it's dubious at best...needs assessments in, for example, mental health social work and community care social work [...] is compromised by health medical models. I don't think they have that autonomy in decision-making..."

(Wider professional partner interview 8)

It was also suggested that the size of the HSCPs, and the dominance of health within them, has meant that social work, especially JSW as a smaller service, can end up feeling forgotten and find it harder to make their voice heard.

“...within the whole HSCP we’re such a small cog and social work in general within an HSCP is very much the forgotten people. It is very much health dominated. You go to the likes of clinical care governance meetings, they don’t really want to discuss any social work issues, it’s all health stuff.”

(Senior manager / team leaders interview 5)

However, an alternative view was that working within the bigger HSCP structure can help JSW to have more “leverage” than it might on its own.

Participants highlighted that being part of a HSCP had not necessarily resulted in shared systems or common terms and conditions. For example, in one area senior management commented that contracts and HR systems still differ depending on whether staff are employed by the local authority or the NHS.

“We have a situation where we [have] people doing the same jobs, but if you're on an NHS contract you'll be paid a different rate to those on a council contract. You have different terms and conditions of service, you have different holiday entitlements, you have different pensions, different complaint handling systems, we have different recruitment systems...so whilst they're saying 'integration' it's actually not integration. [...] Do I feel any benefits to being part of HSCP? No.”

(Senior managers / team leaders interview 5)

Social workers also noted that the process for referrals (to services such as mental health) between HSCP partners was “not smooth” and staff did not get feedback on whether client referrals had been accepted by other HSCP services.

There was limited discussion of the impact of HSCPs amongst JSW staff in local authorities where JSW is not integrated, either because participants felt integration had not made a difference to them, were not aware of any impacts, or simply felt they could not comment.

National leadership

There was a general sense amongst JSW professionals that JSW is “underrepresented” nationally, in both government and public discourse. Indeed, some participants found it difficult to comment on who speaks or advocates for JSW at a national level. It was suggested that most of the current strengths in the delivery of JSW rely heavily on local strategic leadership, and that the Scottish Government could provide more national leadership in terms of the direction of travel for the sector.

“Somebody from government...needs to get that message out there to say ‘this is what happens in justice’. Folk in the street don’t know what we do...there’s a message nationally missing somewhere in relation to justice social work.”

(Senior managers / team leaders interview 12)

There was also discussion of the need for national leadership to inform and challenge public perceptions of JSW and their clients. Senior participants expressed frustration that there is no national strategy to counter the perceived negative portrayal of JSW in the media (discussed in chapter 2). While the focus of participants’ comments tended to be on the role national leadership could play in promoting a positive understanding of JSW, staff in one local authority also discussed ways in which their team had tried to tackle this at a more local level, including sharing positive messages about their service on social media and promoting the work of JSW with local elected members in order to improve

perceptions.

In terms of other organisations that could provide leadership at a national level, while there was some praise for the role CJS had played in driving efforts to encourage ‘client voice’ and for their development work with a local CJP, it was also suggested that as an organisation it has not fully realised its potential in terms of national leadership:

“...the shortfall [in national leadership] reflects an expectation that was there for Community Justice Scotland when they came in to take this sort of mantle. I mean the original guidance talked about developing a commissioning strategy and we’ve yet to realise that.”

(CJP interview 4)

CJS has developed a Strategic Commissioning Framework,²² but this comment may reflect the fact that the implementation of this is still in process, with the Scottish Government and CJS currently jointly working on a project to recommission throughcare services delivered by the Third Sector using this framework.

There was also a perception that CJS could improve the quality of its consultation with local areas – including local CJPs – before changing national strategies, and that it has a tendency to take a “standardised approach” in proposing changes which does not work for all local authority areas. Similar concern was expressed about the breadth of Scottish Government consultation with local areas on changes in national strategy – particularly with respect to the NCS, discussed in chapter 7.

In terms of wider professional leadership, it was felt that Social Work Scotland does provide leadership and a route for JSW to feed into national discussions via the Justice Standing Committee. However, it was also acknowledged that there were perhaps fewer routes for JSW professionals below senior level to have their voices heard in national conversations.

Suggestions for improvement

Suggestions from participants around improving leadership and governance included:

- **Enhancing national leadership** of JSW in general, including **action to improve public understanding and media representations** of the role of JSW, and
- Increasing **understanding of the roles and responsibilities of CJPs** (and of different partners within CJPs).

There was a perception that no one at the moment is speaking up for JSW, and that the Scottish Government in particular needed to do more to explain what it is and its value. While the focus of participants suggestions focused on national

²² See [Community Justice Scotland Strategic Commissioning Framework](#)

leadership to improve public understanding, as discussed above, there is also scope for local areas to play role in this.

As the Care Inspectorate noted in their 2021 report²³, it is difficult to draw any conclusions around which local management or governance structures may produce the most positive outcomes, given the variety of specific arrangements in place across Scotland (and the diversity of views on these). However, many of the comments above around challenges and benefits of current structures were reflected in participants' views on the potential impacts of the NCS for JSW, as discussed in chapter 7. Moreover, the different experiences across local authorities highlight the importance of finding opportunities to share learning between areas about the impacts of different approaches to management and leadership within existing structures – such as different ways of working with CJPs, the introduction of different management roles (e.g. Quality Improvement manager), or different approaches to working between partners within HSCPs.

²³ Care Inspectorate (2021) [Justice overview report 2018-2021](#). Care Inspectorate.

6. Delivering for clients

Key points

- The overall strengths and challenges of delivery for clients reflected themes in previous chapters. Local flexibility and innovation were also seen as key strengths, although there were some examples where opportunities for innovation were felt to be limited.
- Clients' views on what works from their perspective focused on: being treated with dignity and respect; having justice social workers who are approachable, communicative and honest; the range and quality of support JSW provide or facilitate; consistency (keeping the same social worker); and flexibility in terms of taking account of clients' personal circumstances when arranging JSW commitments.
- On the other hand, where clients had experienced what they perceived to be less respectful treatment, multiple changes of justice social worker, or felt they had been treated inflexibly, particularly with regard to the timing of JSW commitments, they were more negative about JSW support.
- One view among professionals was that the delivery of core JSW services is fairly consistent, supported by a clear statutory framework, national policies and sharing of good practice. However, it was recognised that there are local differences in both approaches to delivery and access to wider services.
- Differences in JSW delivery were not necessarily viewed by JSW professionals as always having negative impacts on client outcomes; rather, some differences could be viewed as simply different ways of achieving them. At the same time, there were some concerns about the impacts on clients of differences in interpretation and practice.
- These differences were sometimes attributed to issues around resourcing, or to limitations to the perceived suitability of some national programmes and policies, particularly in rural contexts, both of which were seen as creating barriers to delivering for clients. Inconsistency in terms of access to wider services was also seen as problematic. Again, this was particularly, but not only, discussed in terms of rurality.

Where JSW had developed specialist services targeting specific groups (e.g. women or young people), these groups were generally seen by JSW professionals as well supported. Groups of JSW clients who were perceived to be less well served included: those with particularly complex or multiple needs, (older) people convicted of sexual offences, and clients in rural areas. However, again these perceived inequalities in access to support were viewed as, at least partly, a reflection of challenges accessing appropriate support from external partners rather than weaknesses in JSW delivery.

This chapter considers the strengths and challenges associated with service delivery for JSW clients which, when done effectively, in turn supports public protection. In particular, it discusses issues of consistency of delivering on outcomes for clients, across different areas and client groups.

Summary of strengths and challenges of delivering for clients

The key strengths and challenges around delivering for clients that were discussed by JSW professionals and partners largely reflect those discussed in previous chapters of this report. Key perceived strengths underpinning effective delivery included: JSW's social work values and overall ethos (see chapter 2); its dedicated and skilled workforce; and its commitment to partnership working (see chapter 4).

However, in addition, JSW professionals reflected on the value of JSW being embedded in local areas and the importance of having local cultures and structures that support innovation.

There was a strong perception that JSW practice benefits greatly from having "local knowledge", as well as having local flexibility to adapt interventions and services to their client's needs. Being based within a local community was seen as enhancing relationships with clients, helping them to reintegrate more effectively with their community, as well as strengthening partnership working through raising awareness of the services available in clients' local areas. Participants working in rural areas highlighted that local services in their areas did not always have an online presence and could be hard to find unless you were based in the area.

"I think you're seeing that developing really well in terms of our recovery networks ... and it is about how we are working closely together with people within their local environments and communities and people being able to access the support from their own local communities and not just statutory based services. So [...] I think that locality model lends itself well, I suppose to helping people be part more of their community."

(Justice social workers interview 4)

JSW professionals also discussed the value of local autonomy to be creative and innovative in their approach to meeting the needs of clients. For example, one area discussed their involvement in plans to establish a new drugs court service to help manage the high number of drugs-related offences locally, while JSW professionals and partners in another area highlighted the success of their service user feedback group where clients had recently produced a guidance leaflet on what to expect for people coming into the service. However, there were some examples where participants felt opportunities for local innovation were hampered by attitudes of leadership (a perceived unwillingness to act on staff suggestions for change, for example) or practicalities such as local authority size (for example, being too small to develop specialised services or too large to easily roll out innovations across the entire authority).

Professionals' views on the main challenges of delivering for JSW clients again largely reflected themes discussed in previous chapters. Resourcing issues were

central (see chapter 3), while difficulties around information sharing and systems and issues around partner organisations' ability to support clients were also key (see chapter 4).

Measuring JSW outcomes

Among JSW professionals and partners (particularly CJP leads) there was a view that it could be difficult to assess progress on JSW outcomes. This was partly attributed to challenges around collecting the right data, with JSW workers having to prioritise service delivery over evaluation or experiencing technical difficulties inputting data (including previous issues with the national system for recording LS/CMI data). However, it was also suggested that assessment of, or reporting on, JSW activity is currently overly focused on outputs (for example how many orders are completed, or how many reports are submitted) instead of on outcomes for clients. They felt that this failed to capture the progress made in certain areas, specifically rural areas, where outcomes may not be achieved in the same way or through the same outputs.

Client views on what works

JSW clients that took part in this research were asked about their experiences with JSW and what they thought worked more or less well.

As discussed in chapter 2, the core social work values underpinning JSW's approach were also reflected in client discussions, who typically felt that they were **treated with dignity and respect**.

“I was expecting to be treated like a criminal basically, but no, not at all.”

(Client interview 5)

Being “**approachable**” and “**communicative**” was also appreciated. Clients reported that their justice social workers were easy to get hold of, proactive in checking in to see how they were doing, and gave them opportunities to ask questions. Honesty was also appreciated; one client described how their justice social worker had helped to manage their expectations by being honest and realistic about what types of unpaid work opportunities would be available to them.

Aside from the attitude of individual workers, clients were also very positive about the **range and quality of support** provided directly by JSW. Clients had received support with a wide range of issues, such as accessing or settling into accommodation, starting or staying in employment/education, personal finance, and mental health and wellbeing. The one-to-one emotional support provided by justice social workers was viewed as a particular strength.

“Sometimes when I meet family that I've not seen for a long time, my emotions start to get all over the shop [...] they've given me pointers on what to look for when it's starting and how to address it.”

(Client interview 1)

Linked to this, there was a sense that justice social workers were **non-judgemental and genuinely cared** about their clients and acted their best interests. In several interviews, clients spontaneously compared JSW favourably with their experiences of other services in terms of both how they felt they were treated and the quality of support received. Clients who had experience of Children and Families social work, either as children or as parents (or both), were far more positive about JSW. They felt that JSW was more focused on them as individuals and on their needs – one participant who had been through the care system said that social workers she had contact with before her involvement with JSW had always made her feel “invalidated”. Another felt they could be more honest with their justice social worker if they were experiencing mental health issues, whereas they thought that Children and Families workers might use this against them. Clients also indicated that they felt better supported, in some cases, by their JSW than by health professionals they had come into contact with.

However, there was also a perception that while individual social workers may be understanding and caring, their statutory responsibilities around monitoring and risk assessing clients sometimes **limited the extent to which clients felt they could fully trust them**. For example, one client feared that disclosing mental health issues to their justice social worker may not be in their interest as it may mean they were deemed as higher risk. As one client put it, from their perspective the positives of JSW were all about “the individuals” and the negatives were all about “the governance”.

When clients had a single, **consistent justice social worker** working with them, this was also viewed as a strength of delivery. Participants explained that this helped them to build up a trusting relationship over time, something that was particularly important to those with social anxiety. This then led to clients feeling more comfortable ‘opening up’ and sharing information with their justice social worker, as well as avoiding the need for clients to explain their background multiple times to different people. In contrast, where clients had experienced multiple changes of justice social worker this was perceived negatively in terms of its impact on their ability to form a trusting relationship with them:

"For me it's difficult with new people, every time [...] it's good having the one person, it's not multiple, because, like I said, the anxiety is through the roof. When it's just the same person your comfort zone eventually calms down."

(Client interview 5)

Clients also believed that repeated changes of social worker might impede their progress through the justice system, as they felt that a social worker with whom they had a good relationship was more likely to advocate for them (for example, in relation to parole):

“When you get through nine in a year, none of them are gonna recommend my release. [...] It doesn’t work. [...] I’d go to a visit and it was a different social worker and I’d get told such and such had left. Then I’d go to another one a couple of months later and get told that she’s left and such and such is here. It’s a nightmare. Every time they’ve done that it’s added years onto my sentence.”

(Client interview 1)

One client also mentioned that different social workers seemed to have different information about their case and it did not seem like they worked together and shared this information. This was seen as being impractical and causing issues for them if the social worker working with them was on leave.

Flexibility in taking account of their specific personal circumstances was also valued by clients. For example, one client explained that they were able to take part in unpaid work that was suitable for them given their health conditions, while another said that they were usually able to schedule JSW meetings in the evening to make it easier to fit in with their work commitments. On the other hand, where clients thought JSW had applied the rules to them in what they felt was an inflexible manner, this was the source of some frustration. Examples largely related to unpaid work placements: having inconvenient placements (e.g. not being able to finish in time for the school-run); not being allowed to use phones during unpaid break times; not being given enough choice of the types of work they carried out; or not feeling able to say no to work where they felt uncomfortable (for example doing removals work in a house where they felt unsafe). Clients in one area discussed the fact that, while they felt JSW was inflexible with clients around the timings of placements and appointments, in some cases JSW themselves cancelled these at very short notice, when clients had already moved around work or other commitments to attend them. Unannounced home visits – which are mandatory for some categories of clients as part of risk-management – were also mentioned as a source of some frustration.

There was a belief that sometimes a perceived lack of flexibility was caused by justice social workers being unable to exercise their own judgement to support clients in the most beneficial way. Clients recounted situations where their justice social worker had acknowledged that the rules did not necessarily make sense for their situation, but they could not do anything to change this.

“I don’t think bosses at the very top have got a grasp of what’s really happening either. I just think they’re detached from reality. [...] They don’t know what’s happening on the outside. They’re making rules for social workers to abide by, but they don’t really know what impact that’s having.”

(Client interview 1)

Governance is, of course, an essential part of the JSW role, but these comments from clients highlight the challenges of delivering on these responsibilities while also retaining an effective relationship with clients.

Clients also expressed some frustrations related to the **timing of support**. There was a perceived gap in support available to clients between court orders being

issued and being assigned a justice social worker, and this process was seen as too time consuming. Linking with professional views on the value of preventative work, one participant said they wished that they had had access to someone like their justice social worker even earlier, as it may have prevented them from offending in the first place. Others felt they would benefit from longer-term support from JSW after the end of their order.

Finally, while clients were, on balance, positive about the support they had received from their current justice social worker, there was an acknowledgement that this can vary. There were clients who recalled negative experiences they had previously had with individual JSW professionals, often in a different local authority, who they felt had been unhelpful, less respectful, or uncaring. This leads on to issues around consistency of delivery for clients across Scotland.

Consistency of JSW delivery between areas

The literature review conducted for this research highlights that issues around consistency of delivery and availability of services between areas have long been recognised as challenges for JSW. More recently, a SPICe report (2022:34) argues that ‘while criminal justice social work may be more prescriptive [compared to adult services], there are inconsistencies across local authority social work departments in practice’.

One view among JSW professionals interviewed for this research was that JSW was actually fairly consistent in terms of delivery of core services, particularly in comparison with other branches of social work.

“I’m not saying that is not something we could improve on. But [...] [in terms of] consistency, I think we have got a pretty good set up just now.”

(Senior manager / team leader interview 7)

Justice social workers highlighted the statutory framework underpinning key elements of their role (such as MAPPA requirements) as a key factor they believed ensured a relatively high degree of consistency of practice and made their services more ‘structured’ compared to other types of social work. Current national policies were also seen as a route for fostering consistency:

“There are mechanisms in place now, there are national networks that have been developed. [...] For example, there has been a development in terms of how justice services deliver reports to the parole board from prisoner and community. That is just one example where there is an umbrella framework there to allow us to come together and share experience and actually develop a consistency of practice. So, I see that as quite a significant stride forward, and [...] that offers a reassurance that we are able to organise and develop on a national basis.”

(Senior manager / team leader interview 7)

However, participants also highlighted that national policy alone did not guarantee consistency of interpretation across areas, but needed to be supported by regular opportunities for cross-area discussions, for example.

Moreover, although in some respects JSW was seen as relatively consistent, JSW professionals did recognise that some elements of delivery of JSW varied between (and in some cases within) local authorities. In part, these differences were seen to reflect differences in team size and in resources available, including resources available in terms of partner services. For example, in large urban areas, greater use was made of partners in the third sector or joint projects with other parts of the public sector to deliver elements of JSW-related support. They were also able to offer more specialist services targeting specific groups of clients. Smaller and more rural areas had less scope to do this given team size and available external partners (discussed in chapter 4), meaning that justice social workers themselves were delivering more support directly to individual clients.

However, differences in delivery were not only attributed to differences in resources but also to differences in local approach. This, in turn, was sometimes linked with the perceived limitations around implementing national policies or programmes in specific (particularly rural) areas – for example, delivering national interventions designed as programmes based on group work (such as the Caledonian domestic abuse intervention) was seen as more challenging – or even unfeasible – for some rural areas given the geographic dispersal of clients and staff. JSW teams in rural areas also reported having to be creative in terms of how and where they met clients, given the risk of stigma where they are recognised within small rural communities, combined with a lack of alternative public venues, such as cafes or libraries, where meeting in home is deemed inappropriate.

Differences in JSW delivery were not necessarily viewed by JSW professionals as always having negative impacts on client outcomes, but rather as different ways of achieving them necessitated by local conditions. For example, as discussed in chapter 3, JSW professionals in more rural areas highlighted that the greater reliance on direct one-to-one support from JSW (rather than referrals to other services) can help to foster particularly strong and close relationships with clients. However, there was recognition that some differences between areas might have negative impacts for clients:

"There is not consistency across the country in service delivery or interpretation of service delivery or provision. [...] when you are, you know, if we have got someone, a [LOCAL AUTHORITY] person who has committed an offence in [ANOTHER LOCAL AUTHORITY], and they don't assess for supervised bail or electronic monitoring bail, then that person is disadvantaged [...] they could be at more risk of remand."

(Senior managers / team leaders interview 1)

Another example given by a paraprofessional related to delivery of unpaid work, which they viewed as particularly inconsistent, even though they felt it had clear terms and conditions for how it is meant to operate. Based on their experience visiting other local authorities, their perception was that other areas were delivering this in a more innovative manner for clients, including allowing clients to work from home if they are not fit to go out to placements, as well as offering a wider range of more creative interventions to clients on CPOs.

Moreover, differences in the availability of external services across different areas were clearly seen as impacting on the services their clients receive:

“If the person is released to [nearby local authority], then they get a whole range of follow-up, whereas if they come back [here], they don't have anything basically. So, even though they're getting the benefit of that four months intensive support, they are only getting access to half of the care plan as such, because the normal care plan for somebody in [nearby local authority] would be that you link with those community resources. So, again, it is just about the postcode lottery. Even when we think we're getting something that's really good, we are only getting half of it.”

(Paraprofessionals interview 2)

Clients who had engaged with JSW in different areas also commented on the difference they perceived in the services they were offered. For example, one client missed the access they had to group activities in a more urban area within the same local authority. They felt they had benefited from both the greater range of activities and the “support network” that these groups had provided. They had also been able to access a mental health nurse based in the same building as their previous JSW team, whereas they were still waiting for a mental health appointment in their new area, having been referred a year ago. On the other hand, they had not been able to access drug and alcohol counselling until they moved.

Other clients described what they saw as cultural differences between JSW teams themselves in different local authorities, commenting on experiences with previous workers who they found “impatient” or viewed as “uncaring”.

Delivering for different client groups

In addition to discussing differences in JSW delivery and services between areas, participants also discussed whether there were particular groups of clients who they felt JSW were able to support more or less effectively at present. Naturally, groups that were seen to be particularly well-served or less well-served varied across different areas. However, some common themes did emerge.

First, where areas offered **targeted services**, for example, those aimed at young people or at supporting women involved in the justice system, these groups were generally highlighted as being particularly well-served, since support tailored to their specific needs.

“Since the woman's service has been established a number of years ago - I think that has really added a huge amount to the support and intervention that we give to female offenders in particular.”

(Senior manager / team leaders interview 9)

JSW professionals in one local authority with a targeted youth service felt they had seen a ‘big shift’ towards more positive outcomes for young people since they restructured services. In contrast, in areas where **young people** were seen as being less well served, there was typically a desire for a more specialised service and, in particular, more early intervention and diversion. There was a perceived

need for (more) effective communication between the different services supporting young people in conflict with the law and a perception that 16–17-year-olds in particular may be “falling through the cracks” in terms of support between Children and Families and JSW in some areas. However, this was not seen as an issue for JSW alone, but for the wider systems and structures around young people at key transitional stages. Similarly, it was suggested that younger people with autism or another learning disability may be particularly less well-served, but again this was seen as a wider systemic issue: these young people may be missing out on possible early intervention work due to not receiving a diagnosis until they have been through the justice system.

Although overall, as discussed in chapter 3, JSW caseloads were believed to have become more complex over time, it was felt that where clients had particularly **complex or multiple needs** it was more difficult to access appropriate support. People with neurodivergence and LGBT+ and non-binary clients were mentioned in this context. Particular challenges arose for those with a dual diagnosis of both mental health and addiction problems: JSW professionals recalled numerous occasions where they were unable to obtain appropriate mental health support for a client because of the client’s substance misuse issues, and vice versa. However, this was seen as reflecting lack of appropriate resource and support from partners, rather than a weakness of JSW delivery:

“It seems like other partners are able to walk away from service users, where we can’t. I think that is one of the big frustrations because we really care about people, but we are not all these things that we are talking about, we can’t meet all these needs that someone presents to our services with.”

(Justice social workers interview 4)

Finally, **those convicted of sexual offences and subject to notification requirements** were seen as potentially less well served, largely because of issues of stigma and risk perceptions among JSW partners in the public and third sector. JSW professionals gave examples of the challenges they had faced accessing appropriate services and support for this group, including finding organisations prepared to offer them relevant work or other placements as part of their CPO or recovery work, and issues around finding willing providers for care packages for older people convicted of sexual offences (who, JSW professionals noted, represented a growing proportion of their caseload).

While much of the discussion of which client groups are more or less well served focused on those with specific needs, one view was that those classified as **low or medium-risk**, who are not eligible for more specialised services, may miss out by not being prioritised for limited JSW resources. For example, one justice social worker felt they did not have as much time as they would like to spend with clients on diversion who are less ‘high risk’. Another highlighted that there could be more support put in place to support those who do not meet the threshold for specialist services, but who still have complex criminogenic and welfare needs.

“I think we don't do enough with, so your man in his maybe 20s or 30s who doesn't get a service in the young person's service, maybe doesn't get a service from one of the more specialist services, but they are frankly the bulk of the people that we work with, who have got a number of convictions, who have a number of criminogenic and welfare needs [...] I would say those are the people that we are maybe struggling to support as well as we could do.”

(Justice social workers interview 4)

Finally, it was suggested JSW **clients in rural areas** were relatively less well served compared with those in urban areas. This reflected resourcing issues discussed in chapter 3 and issues around inequality of access to wider services, discussed in chapters 4 and above. Those with specialist needs in rural areas were considered potentially more likely to miss out on the support they needed in a rural area without either specialist teams or specialist external services.

In addition, rural clients were seen as facing different barriers to meeting the terms of their court orders – for example, having a lower availability of suitable unpaid work placements to choose from and typically having to travel further to attend them:

“[It's] an incredibly rural area, people living out in tiny villages, really small towns, transport network is appalling, you are waiting hours for maybe two buses that will turn up in the day. So, we don't have the resources here, and when we do try and set them up, it is trying to use a model that perhaps you would use in a larger place. [...] That model won't work here, [...] you are asking someone from one of the smaller villages to come in, they probably won't attend because of all the barriers that are involved, and it is not for the lack of wanting or trying.”

(Paraprofessionals interview 2)

Stigma can impact on JSW clients wherever they live, but was seen creating particular issues around accessing appropriate support for clients in small communities. For example, paraprofessionals in a rural authority believed businesses would refuse to offer work placements if they thought it would be given to a JSW client. They also highlighted difficulties of maintaining confidentiality with housing solutions for clients. For instance, a certain block of flats can become known in the community as housing people with convictions and lead to stigma and other issues negatively impacting outcomes (such as being targeted by people selling drugs).

Suggestions for improvement

Professionals' suggestions for improvement relevant to improving service delivery have largely been covered in previous chapters. This chapter also highlights the need to consider changes within the context of wider systems of support for JSW clients, including specific groups such as young people or those with mental health or addiction issues. There may also be a benefit in reassessing how 'outcomes' are defined and measured within JSW and how effectively they capture the quality of service delivery across different areas. In terms of supporting innovation in JSW, one view was that while there is often a lot of innovation happening locally, there is

a gap around a national innovation platform to develop, upscale or test ideas at a wider level.

Clients interviewed for this research were keen to emphasise the positive aspects of JSW that they wanted to stay the same: particularly the respectful, non-judgemental support they received, and the range of issues their JSW teams helped them with. However, they also suggested a number of changes they felt would improve JSW from their perspective, including:

- **Extending the length of JSW support**, so that clients can voluntarily access ongoing or ad hoc support from their justice social worker after their order ends
- **Reducing the number of assessments** required before clients start receiving support through JSW
- **Allowing clients greater flexibility** around timings of JSW commitments, to make it easier to meet their other work and family commitments
- **Offering clients more feedback on positive progress** outwith formal reviews
- **More information** at the outset about what involvement with JSW entails. This could include information about what is and is not recorded about conversations with JSW and when and with whom this is shared
- **More men/male social workers**, as men convicted of certain offences can feel that women feel differently about them (this did not appear to be linked with any evidence that they were treated differently, but appeared to reflect their own beliefs)
- **Greater communication between professionals**, both within and outwith JSW, to ensure that clients do not have to repeat themselves and are receiving consistent messages about their obligations (e.g. from their individual social worker and those managing unpaid work).

7. Views on Justice Social Work and the National Care Service

Key points

- A key theme across interviews was a **desire for more detail** on the NCS in general, and the vision and plans for the potential inclusion of JSW specifically.
- Overall, participants raised **more concerns than potential benefits** in relation to the possible inclusion of JSW within the NCS. Many of participants' reservations about the NCS and its likely impact on JSW reflected their **views on other 'nationalising' programmes** – particularly Police Scotland, Health and Social Care integration, and the Probation Service in England.
- When pushed, **three main positions** on the inclusion of JSW in the NCS were apparent: that there was insufficient information to come to an informed view; that the negatives outweigh any potential benefits; or that if other branches of social work are included within the NCS then JSW should also be part of it in the interests of "keeping the profession together".
- Participants were concerned about a potential loss of social work **values, identity and professional specialism** in a service they expected would be dominated by Health. On the other hand, there was a perception that the focus on "care" might be beneficial in promoting recognition of the links between offending and underlying issues of health and trauma.
- There were many questions and concerns about **resourcing** within the NCS, including the overall level of resourcing, whether JSW ring-fencing will be maintained, how resources will be allocated between areas, and how services will be commissioned. There was concern that the resources required to set up a new national service would divert resource from frontline services at a time when they are already stretched.
- Participants recognised the potential for a national service to improve **consistency** but were sceptical about how likely this was without substantial additional resource. There was also a debate about whether a national service is the only or best route to achieving consistency and whether consistency of delivery should always be the goal.
- JSW professionals and their professional partners both expressed concerns about the potential impacts of joining the NCS on **joint working** with partners outwith the new national service, including housing, the courts, the police, education, and employability services. There was no consensus on whether the NCS was likely to help resolve, or would exacerbate, existing challenges around information sharing.

Effective **leadership**, which represents the voice of JSW, was seen as essential to staff buy-in.

Introduction and context

As discussed in chapter 1, the [National Care Service \(NCS\) \(Scotland\) Bill](#), introduced to the Scottish Parliament in June 2022, was a framework bill; the detail of how the NCS would be structured and funded in practice was intended to follow at a later date. The Bill included ministerial powers to transfer both JSW and Children and Families Social Work to the NCS. However, as yet the Scottish Government has made no recommendation on whether either service should be included.

The initial consultation on the NCS²⁴ generated diverse views on the question of including JSW within the service. One criticism of the consultation was that it was so broad ranging (covering the NCS as a whole) that it did not allow for sufficiently full consideration of the range of issues associated with JSW specifically. A key aim of this research was to explore the views of justice social workers and their stakeholders in more depth, to inform further discussions and decisions about whether or not JSW should be included in the NCS.

The interviews on which this report is based took place between April and June 2023. As such, they pre-date the publication of the outcome of discussions between the Scottish Government and COSLA which provided further clarification on a number of issues relating to the NCS, including:

- That local government will retain staff and assets (like buildings) as part of the NCS
- That local government would retain responsibility for delivery of services
- That the Scottish Government, the NHS and local government would share legal accountability for services delivered via the NCS, and
- That new governance arrangements will be introduced to ensure consistently high levels of services across the country while allowing flexibility to meet varying community needs at a local level.²⁵

As the research took place prior to these features of the NCS being publicly agreed, it is not possible to establish the extent to which any concerns raised by participants may or may not have been allayed by this agreement. However, where relevant, this chapter reflects on where it may have implications.

More broadly, the perceptions of the NCS discussed in this chapter may or may not align with the Scottish Government's current thinking about the NCS and how it may be operationalised. However, they highlight the issues and questions that the NCS raised for JSW professionals and their partners at the time the research was conducted, and which will need to be taken into account in developing further plans on JSW and how it will interact with the NCS, either as part of the new national service or as an external partner.

²⁴ See [National Care Service: consultation analysis](#) (2022)

²⁵ See [letter from Maree Todd to the Health, Social Care and Sport Committee of the Scottish Parliament](#), 12 July 2023

The literature review conducted for this research looked for evidence from Scotland and other countries on the impact of different structures on delivery and outcomes in JSW or equivalent services. The direct lessons that can be drawn from this evidence are limited; many of the publications identified were purely descriptive and included little evidence of impacts on outcomes. Moreover, there were no examples from other countries of services that were sufficiently similar in structure to either the current JSW model or that were operating within a model similar to the NCS. In fact, Scotland's current model appears unique in terms of JSW being both within the social work profession and under local authority governance – in other countries, a single-agency delivery model predominated, though there were differences between countries in whether staff were qualified social workers and the role of the third sector agencies in delivery, for example.

However, one thing that was clear from the literature was that it is not only organisational arrangements or structure that drive outcomes for justice-involved people. How services are delivered in terms of governance and leadership, organisational culture, practice and partnerships, and, crucially, resources, as well as how these factors, in turn, are influenced by the political, policy and social contexts that shape and frame them, were all strongly associated with outcomes.

The remainder of this chapter summarises general attitudes to the potential inclusion of JSW in the NCS before discussing views of the implications of the NCS for JSW for different aspects of JSW identity, practice, operation and outcomes. Each section ends with a boxed summary of key questions raised by interviewees with respect to the implications of including JSW (or not) within the NCS. Boxed considerations for further reflection are also interwoven within the chapter, drawing on analysis of the implications of the issues raised for the possible inclusion of JSW within the NCS.

“In a word, detail”: general attitudes JSW and the NCS

A key theme, which cuts across most of the other themes discussed below and which featured in almost every interview, was that people wanted more detail on both the NCS in general, and on the vision and plans for the potential inclusion of JSW specifically. It was noted that the NCS had developed out of challenges around adult social care; there was a perception that much of the information provided so far was focused on this and was not obviously relevant to JSW, who were perceived to have been “an afterthought”. Participants wanted greater clarity on the “vision” for inclusion of JSW within the NCS and on the evidence to support this, particularly with respect to how it would improve outcomes for their clients. This was linked with a perception that the structure of JSW operates quite well at the moment, resourcing issues notwithstanding, so from this perspective any change would require particularly strong justification.

“There are a lot of good things just now so, my concern is, why are we not looking at the good parts of the system and trying to enhance that as opposed to completely breaking it apart and start again something absolutely new? ... If we had funded our services appropriately right now we would see improvements.”

(CJP interview 1)

Discussion of views on the NCS also highlighted a wide range of different understandings of what the ‘N’ in ‘NCS’ actually implied in practice, and what a ‘national’ service might mean for JSW, including:

- Centrally / nationally employed staff
- Staff based outwith the areas in which their clients live / required to travel to other areas
- Strict national standards for delivery, applied in the same way across all areas
- National management of JSW (generally seen as likely to be based in Glasgow or Edinburgh, and potentially by someone without a JSW background)
- National contracts for services currently delivered by JSW or their local partners (potentially open to tender to private providers)
- Central, national systems for sharing information about clients among services included in the NCS.

As discussed in the introduction to this chapter, the Scottish Government has now clarified that the first of these (centrally / nationally employed staff) would not apply. The NCS Bill and Policy Memorandum emphasise “Scottish Ministers and care boards working together” to deliver its objectives, while recent clarifications have further emphasised the intended model of national leadership and oversight underpinned by integrated planning at a regional level (via care boards). However, this still leaves the detail of how various aspects of how the National Service will be operationalised to be determined. The range of understandings expressed across interviews highlights the need to be as clear as possible about what it would mean for JSW to join a national service (or what it might mean for it to be outside one).

Issues for reflection: How will the division of responsibilities between Ministers, the NHS, care boards, and local authorities impact on JSW services specifically, if JSW is included in the NCS? What might be the implications of the NCS for how standards in JSW are developed, implemented and monitored? Will there be any change in how contracts for services are awarded (including the level – national, local, regional – and what organisations are able to bid)?

Overall, participants (across all professional groups and levels) raised far more negatives than positives about the inclusion of JSW within the NCS – it was clear that both JSW professionals and their professional partners have many concerns

that will need to be addressed in the development of the NCS. However, when pushed on whether they felt, on balance and based on their knowledge at the time, JSW should be part of the NCS or sit outside it, three main positions were apparent. The first, linked to the perceived lack of detail discussed above, was that they simply did not have enough information about what this would look like to come to an informed view one way or another. A second group of participants were more negative – they either could not currently see any benefits to JSW from being part of the NCS, or they felt that the risks involved clearly outweighed any benefits. This was linked with concern that restructuring JSW in a period when resources were already under significant pressure would be risky for the service’s continuing ability to deliver for clients and the public:

“What it will do without question, no matter what happens next, is create a long period of change and distraction. The resources that will go into that and the energy as people try to manage the transition is going to create a great deal of potential risk”.

(CJP interview 4)

A third group of participants, however, felt that if other branches of social work, including Children and Families, go into the NCS, then JSW would also need to be part of the same structure. “Keeping the profession together” was not necessarily expressed as a ‘benefit’, however, but as a necessity that would push them toward the NCS in spite of reservations about how well it would work for JSW or their clients. For those who felt this way, being part of the same organisation was seen as key to joint working and professional identity. However, another view was that joint working with other part of social work could continue even if they were in different structures, as long as appropriate strategies and processes were put in place to support this.

Parallel positions were apparent in terms of participants’ general attitudes to JSW not being included in the NCS. One group wanted more information on what this would mean in practice – for example, what would it mean for resources? Another had a strong preference for staying outside the NCS and could not see any significant downside to doing so – they essentially viewed this as business as usual, provided JSW funding remained ring-fenced. Finally, a third group – those who wanted to keep the profession together – were concerned about the impact on partnership working of being outside the NCS, particularly if Children and Families social work was within it.

Issues for reflection: Given the level of concern among JSW professionals around the inclusion of JSW in the NCS, if Ministers do decide to include it, what strategies will need to be in place to bring the profession along with this decision? If the NCS does not include all branches of social work, can other structures (for example, the proposed National Social Work Agency) help to ‘keep the profession together’ and support professional identity and joint working?

Participants' questions

- What is the vision for / aim of including JSW in the NCS?
- How will the NCS lead to improvements for JSW, their clients and public protection?
- What is the evidence that the NCS will improve outcomes for JSW clients?

If all branches of social work are not included within the NCS, how will joint working and professional identity be maintained?

Values and identity

The potential impact of the NCS on 'keeping the profession together' was often discussed in the context of a broader discussion about values and identity and the NCS. Different views were expressed by JSW professionals on the likely 'fit' between justice social work values and the NCS. On the one hand, there was concern about the potential dominance of health in the NCS and impact of this in terms of loss of 'social work values'. This was linked with concerns both about the relative small size of social work in general, and JSW specifically, within the NCS, and to questions about management structure and job roles. There was concern about JSWs potentially being managed by non-social workers who, it was felt, would not understand their ethos and role. There was also anxiety that any re-structuring might lead to either JSW services being delivered by "generic" social workers without a justice specialism, or to non-social workers taking on elements of social work roles, further diluting JSW values, identity and professionalism. JSW professionals were concerned to protect JSW as a specialism, emphasising both the specialist skills and clear professional boundaries they felt were required to support their clients effectively.

Issues for reflection: How might integration within a larger service impact on JSW's sense of identity? How might different possible structures or ways of working at national and local level within the NCS exacerbate or ameliorate the concerns above about voice, identity and professionalism?

In terms of the alignment between the NCS and JSW values specifically, one view was that a 'care service' is not a good fit, as JSW is not only about care but also about public protection:

"[we provide] some level of care, and a level of control and public protection – in terms of getting colleagues to understand what we do, a care service isn't a good fit"

(Justice social workers interview 5)

On the other hand, it was suggested that a focus on care might actually be

beneficial for JSW in terms of promoting recognition of the links between offending and underlying issues of health and trauma. Participants who saw this as a potential benefit of the NCS were keen to ensure that the 'J' in JSW was not over-emphasised – if JSW did remain outside the NCS, they were concerned that this did not lead to any moves towards a 'correctional agency' or a model similar to the probation service in England:

"I see myself as a social worker and I'd want to sit with my social work colleagues rather than being a probation service or a justice service."

(Senior managers / team leaders interview 9)

Issues for reflection: The NCS principles, as set out in the Bill, state that NCS services will support the realisation of human rights and enable individuals and communities to thrive and flourish. If JSW is to be included in the NCS, is there a need to either reframe its remit, or explain how these principles can also incorporate the 'dual function' of JSW (for example, with reference to the importance of public protection to enabling communities to flourish)? What practical implications might the inclusion of JSW within an NCS (or its exclusion from it) have for the balance between 'care' and 'control' within JSW's role – and what might this mean for both individual clients and the wider public?

Participants' questions

- What would the implications of the NCS be for the identity / role / responsibilities of social workers / JSWs?

How will different services within the NCS maintain their professional independence?

Resources

As discussed in chapter 3, resourcing was seen as the central current challenge for JSW. Unsurprisingly, it was also an area that generated many questions with respect to the impact of the NCS. Underpinning many of these questions was an overarching concern that the NCS is primarily about saving money. Reducing spending is not mentioned in the stated aims of the NCS, which focus on improving access and consistency of social care across Scotland and ensuring the workforce flourishes. However, both JSW professionals and their professional partners expressed anxiety that the implementation of the NCS would lead to reduced budgets. This was often expressed in conjunction with observations about the implementation of Police Scotland (where cost saving was an explicit aim) and the development of the Probation Service in England, which was believed to have drastically reduced investment in social work support for justice-involved people.

Even where participants did not explicitly link the NCS with concerns about cost-cutting, there was a belief that the resources required to set up the new service would take resources from frontline services and that this was not the best use of money in the current financial context. Participants could not see how the NCS would help to resolve current resourcing issues without substantial additional funding. Moreover, there was concern that it risked exacerbating these challenges, if the changes associated with restructuring created additional pressures for an already “exhausted” workforce.

Participants raised questions about how resources would be allocated within the NCS. Whether JSW would continue to be ‘ring-fenced’ was a key issue – there was a strong view that resources for JSW need to be protected in order to be able to fulfil statutory responsibilities:

“That’s a huge fear, we’ll all go into one pot, half of us will lose our jobs, we won’t be guaranteed the resources we need to do our job but we’ll have the same responsibilities”

(Senior managers / team leaders interview 4)

On the other hand, there was also some concern that, should JSW remain outside the NCS, it might miss out on future funding if the NCS became the main mechanism via which the Scottish Government made additional funds available.

Questions were also raised around how commissioning of services would work within the NCS. In particular, both JSW professionals and their partners, particularly in the third sector, wanted to know whether there would be greater scope for the private sector to bid to deliver JSW-related services. Anxiety about this possibility was commonly related to negative perceptions of the extent and impact of private sector involvement in delivering probation services in England.

In terms of allocation of resources between areas within the NCS, a possible benefit (particularly for smaller local authorities) was the greater potential to share resources across local boundaries. However, there were also questions and concerns about how the differences between areas would be accounted for in resourcing allocations within the NCS. Rural areas expressed anxiety that funding formulas would be based primarily on numbers of clients and would not take their specific delivery challenges into account effectively. More urban areas also questioned how their own local needs and challenges would be factored in. The question of whether the NCS would lead to uniform pay scales for JSW across Scotland was also raised – at present, each local authority sets its own pay scale. One view was that a national pay scale might help address perceived inequities between areas and could help with recruitment, particularly if it was combined with incentives to move to hard-to-recruit areas. However, it was also suggested that this could create new imbalances and could cause significant recruitment challenges for those areas that currently offer a higher level of pay:

"I think if we were to move to a national care service like the way the NHS is, they have bands across, so it doesn't matter where you work you get paid the same whether you work in an affluent area or you work in an area of high deprivation, but ultimately your workload is going to be very, very, different ... So, then there wouldn't be that recognition of the amount of, I suppose as well the kind of trauma that you have to deal with as well, because a lot of the people we deal with are very kind of high tariff cases."

(Paraprofessionals interview 6)

Issues for reflection: The level of concern about resourcing emphasises the need for as much clarity about resourcing issues as possible, including addressing the specific questions JSW professionals have raised (see box below). An overarching question, given both the evidence of the literature review and the impacts of current resourcing pressures identified in chapter 3 of this report, is whether (and why) inclusion in the NCS is likely to lead to improvement in JSW outcomes without significant further resource being allocated. Although it might be argued that it is difficult to provide evidence on the impact of something that has not existed before, the weight of evidence internationally indicates that there is no clear link between structure per se and outcomes. At the same time, while the Feeley report made a case for restructuring to improve outcomes in adult social care, this case has yet to be made explicitly for JSW.

Participants' questions

- How would the NCS be resourced?
- Would JSW remain ring-fenced?
- Would there be any more money for JSW – overall, or for specific geographic areas?
- How are the different levels of deprivation across LAs is going to be catered for when organising the NCS?
- Who decides on budget?
- How will budgets be allocated between areas within the NCS?
- How much autonomy would local managers have over budgets?
- How will any commissioning of services work?

Will there be greater private sector involvement in delivery or would it be guaranteed that it would be not-for-profit only?

Consistency, nationalism and localism

In addition to keeping JSW with their social work colleagues, the main potential benefit to being part of the NCS was the possibility that it might improve

consistency of service provision for clients. It was suggested that greater consistency for clients might be achieved by:

- improving the consistency of criteria for accessing services (e.g. care packages) across Scotland
- providing clients with access to more services, if the NCS enabled them to access services outwith their local authority more easily
- helping ensure that every area actually has access to the same services for their clients, and
- improving understanding of the needs of specific groups of clients across Scotland via improved data gathering or better use of data from across areas, which could then be used to drive improvement of services for specific client groups (including those identified as potentially less well served in chapter 6).

Meanwhile, it was suggested that improvements for JSW professionals and their partners might be achieved if the NCS provided greater consistency of: templates and language used across areas; training provision; and opportunities for career progression.

However, while improved consistency was raised as a potential benefit of the NCS, there were many reservations about how likely this was to be achieved without substantial additional funding. Participants also felt that it was not obvious that being part of the NCS was either necessary or the best route to achieving greater consistency of JSW services across Scotland. Participants argued that there were already standards, structures and organisations in place to facilitate national consistency and cooperation where needed (albeit there were some gaps and a view that better use could be made of some of these structures, as discussed in previous chapters).

Beyond questioning whether the NCS is the best route to consistency, there was also some pushback on whether aiming for consistency of delivery is either possible or desirable. This was often strongly linked with views on localism versus nationalism as mechanisms for delivering outcomes for clients, discussed in the next section.

“It’s maybe not consistency that’s required, it’s maybe difference”

(Justice social workers interview 5)

The question of whether consistency or quality of outcomes for clients are best achieved through a national level model or through local-level organisational structures was a recurrent theme in the existing evidence and literature reviewed for this research and was echoed across interviews for this research. In part, this reflected different understandings discussed above of what a ‘national’ service might look like, and the extent to which this would allow for local flexibility.

Rural local authorities were particularly concerned that national policies and initiatives would focus on the needs of urban areas and create expectations of uniform delivery that would be unfeasible for their areas to implement, exacerbating

existing resourcing challenges, discussed in chapter 3. They expressed fears that rural areas – particularly remote rural areas – would be “forgotten about” within any national service. More urban or mixed local authorities also expressed anxieties about whether a national service would lead to a “one size fits all” approach that would not reflect their own unique challenges or client needs.

It was also suggested that nationalising services might risk loss of local innovation – several areas mentioned services they had developed locally that they did not think would have emerged in a national structure, as they thought national structures would be slower to respond and less likely to foster creativity. As discussed in chapter 6, however, a counterpoint to this was that although local innovation is extremely valuable, there was perceived to be a gap for a national innovation platform.

Issues for reflection: As with concerns about what a ‘national’ system might mean, the concerns discussed above indicate a need for greater clarity on the level and nature of ‘consistency’ between areas that will be expected within the NCS and how much local flexibility and innovation will be retained, at care board and local authority level. How, if at all, will expectations of JSW differ in practice from the current picture (where standards are set nationally and implemented locally)? Is it envisioned that consistency within the NCS will entail clients having access to the same services (from JSW and/or their partners) in every care board area? If so, how will this be achieved in practice, given the current variability of external resources across Scotland (as discussed in chapter 4)? Does it imply certain services are delivered in the same way in every area (and again, what are the resource implications of this, given differences in team size, geography, etc.)?

On the other hand, if JSW is not included in the NCS, there will still be a need for clarity on what level and type of ‘consistency’ of service is desirable and achievable, and how this can most effectively be secured, given the opportunities and challenges identified in the literature review and in chapters 2 to 6 of this report.

Participants’ anxieties about the potential impact of being part of a national service were often informed by their perceptions of other recent programmes of ‘nationalisation’ or ‘centralisation’ which they viewed as having had negative consequences for services and clients. In particular, the formation of the probation service in England, the merger of Scotland’s police forces into Police Scotland, and the establishment of Health and Social Care Partnerships (HSCPs) were mentioned in this context.

The probation service in England was discussed in almost exclusively negative terms by JSW professionals and was perceived to have led to a deterioration in both services and professional identity and role, as well as being “a bureaucratic nightmare”.

Perceptions of Police Scotland focused primarily on the impact that the merger of Scottish forces was believed to have had on local policing and the quality of service provided to local communities. Participants cited examples of local stations closing, increased difficulties in involving police in local multidisciplinary schemes (although this did not include MAPPA, given its statutory footing), and general loss of community connection between the police and local areas.

As discussed in chapter 5, perceptions of the impact of HSCPs varied considerably between areas – as one JSW professional commented, the different ways in which local authorities have managed integration made it difficult for them to extrapolate clear lessons from integration. But concerns about health dominating the NCS were often linked to perceptions this had been the case within HSCPs.

Overall, there was a perception that the evidence from across various nationalising/centralising/restructuring programmes has not shown that they produce better outcomes. Participants would therefore require convincing as to why they should expect the NCS to be different.

“I have been there with restructure and everything else, and I don't know how many times ... and can I tell you, none of them work.”

(Paraprofessionals interview 6)

Issues for reflection: As discussed above, the literature review did not identify a clear link between structure and outcomes. As discussed in chapter 5, there were also different experiences and views on the impact of health and social care integration to date on outcomes – both within JSW and for adult social work. Given existing evidence and professional scepticism about previous ‘centralising’ or ‘nationalising’ programmes, is there a need to more clearly articulate how and, importantly, why the NCS is expected to be different in terms of its impact on joint working and outcomes for JSW specifically?

Participants' questions

- How would the NCS adapt to the complexities of each area?
- How specifically will it work for rural communities, their services and clients?
- What is the vision for maintaining creativity and innovation?
- What would it mean for existing specialist teams within areas? Would they be absorbed? Or organised more centrally?
- What has been learned from other recent programmes of bringing local services together (e.g. Police Scotland, HSCPs) and how has this informed plans for NCS?
- If NCS is structured around ‘Care Boards’, what would the geographic boundaries of these be? And how would they differ in practice from HSCPs?

- What is the timescale for implementing the NCS? (linked to a perception that other programmes of restructure have taken a long time to ‘bed-in’)

Leadership and governance

There was a perception that securing JSW staff “buy-in” to the NCS would be challenging, given the issues discussed elsewhere in this chapter. In this context, questions about who would lead JSW within the NCS became particularly important. There were also questions about the size and number of tiers of management, with no consensus on the appropriate balance between ensuring that local areas and JSW as a profession are well represented within NCS management on the one hand, and potentially diverting resource from frontline staff to management roles on the other. Developing a national leadership structure that reflected the needs and priorities of different local areas and professional groups was viewed as a challenge in general.

At the same time, it was suggested that the national management of JSW within the NCS might have some potential benefits in terms of governance and accountability. In particular, participants discussed areas where they felt the “boundaries” between services or areas became blurred at times – including examples where it was unclear if Adult Social Work or JSW should take responsibility for a decision, and disagreements between local authorities over case transfers between areas. Having a national structure might help provide clarity in these situations.

However, leaders in another local authority raised concerns about potential unintended consequences if responsibility for agreeing case transfers were taken away from the individual local authorities concerned. In particular, they were concerned that many more JSW clients could be moved away from the central belt to areas with more vacant properties. They argued that this would create unsustainable pressures on JSW teams in those areas and could put public safety at risk.

Issues for reflection: Getting leadership teams and structures right is key to the success of any new organisation. If JSW is included in the NCS, there is a clear need to consider how their specific professional voice can best be represented within national and regional/local leadership structures. And if JSW is not included within the NCS, there will be a need to re-consider the mechanisms required at national, regional and local level to enable JSW to feed into strategic and/or practical discussions of cross service issues, including issues that require cooperation with partners who have moved into the NCS.

Participants also questioned the potential impact of the NCS on local accountability for decisions. There was a strong belief that as support for and management of JSW clients happened locally, it needed to be linked to local accountability for those decisions (ultimately through local elections). It is possible that this concern may be

addressed through the recent announcement that responsibility and accountability for delivery of the NCS will be shared between the Scottish Government, the NHS and local government.

Participants' questions

- What would the exact management structure of the NCS be?
- What professional backgrounds would managers with responsibility for JSW come from?
- How will the NCS avoid JSW's voice being 'lost' within a larger national organisation?
- What would be the implications of being in the NCS for cross-local authority transfers?
- What accountability mechanisms will there be for the NCS?

If JSW are outside the NCS, will the structure remain as it is at present?

Partnership working

As discussed above, perhaps the main perceived benefit for JSW professionals of being integrated within the NCS was the fact that it would keep JSW together with their colleagues in Adult and Children and Families social work. In addition to maintaining partnerships across social work, it was also suggested that being part of a bigger organisation could streamline other elements of partnership working – for example, there might be potential to simplify referrals within the NCS, or to reduce the number of times clients need to repeat their stories to multiple professionals. However, in general, participants' reflections around partnership working and the NCS tended to focus on concerns about loss of links with key partner organisations that will not be included in the new national service, including: housing services; Police Scotland; the Courts; education; employability; and third sector partners.

Potential weakening of links between JSW and housing were a particular concern in one local authority, where JSW had built very close working relationships and protocols with their housing team to address the high level of homelessness among JSW clients:

“We are headed towards a NCS which is going to remove homelessness provision which will effectively have homelessness no longer sitting in a health and social care construct, it will be removed from that and that, I find really quite concerning. And, I think that that on its own right it is going to be a massive challenge given the level of homelessness need that exist in our more complex service users.”

(Senior managers / team leaders interview 13)

JSW's professional partners also expressed concerns about potential loss of

existing close relationships and lines of communication with JSW. A partner from SPS questioned whether JSW's goals would continue to align with theirs if they were part of the NCS, while a local CJP lead wondered whether JSW would still be able to participate in the same multi-disciplinary groups once they joined the NCS. A third sector partner highlighted that the procurement structure in the NCS could have significant impacts – either negative or positive – for the extent and nature of their joint working with JSW.

Issues for reflection: 'Professionals working together better across traditional boundaries' is a core aim of the NCS, as set out in the Feeley review. However, in comparison with Adult Social Work at least, JSW arguably has a greater number of external partners that are not likely to be included within the NCS. This means that considering how effective relationships and joint working can be preserved and developed will be particularly important in ensuring that the positive aims of the NCS can be achieved for JSW. This will be the case whether JSW is in the NCS and some of its key partners (particularly in justice and housing) are outside it, or JSW is outside the NCS and some of its key social work and health partners are inside it.

Participants' questions

- How will existing collaborations with orgs that are not going into the NCS be maintained?
- Will there still be the same expectations around engaging with CJPs?
- What resources will JSW have available to meet MAPPA responsibilities?

Where will teams be located? Will it mean relocation away from some of the (non-NCS) partners currently collocated with?

Information sharing between partners

As discussed in chapter 4, issues around information sharing and ICT can have a significant impact on partnership working. This was also a recurrent theme with respect to the potential impact of the NCS. However, there was no consensus on whether the NCS might help to resolve, or was likely to exacerbate, existing challenges around information sharing. The impact would depend on what information systems are implemented within the NCS, how many different systems are in place, and who has access them, both across Scotland and within local areas. While the NCS might help facilitate access to information between services within the NCS, there was potential for it to create new 'information boundaries' with key JSW partners outwith the NCS. There was also general anxiety about the resources and time that would be required to move to any new information systems that might be implemented as part of the NCS.

Issues for reflection: The NCS Bill allows for information sharing and information standards and is “intended to underpin the creation of the nationally-consistent, integrated and accessible electronic social care and health record.” If JSW is within the NCS, it will be important to consider how new systems and arrangements might impact not only on sharing within the NCS, but also on essential data sharing with JSW’s key partners outwith the service. Conversely, if JSW is not in the NCS, the new social care and health record is likely to contain much information relevant to the ability of JSW to offer and access effective support for their clients. Will appropriate data sharing and other arrangements be in place from the outset of any new system to facilitate this?

Participants’ questions

- What impact will the NCS have on data sharing?
How will NCS systems link with non-NCS systems (e.g. prisons)?

Impacts on terms, conditions and progression

In addition to discussing potential impacts on professional identity, values and responsibilities, JSW professionals also raised a number of practical questions about what joining the NCS might mean for their pay, pensions, employer, terms and conditions and career progression. Some of these questions may, in part, have been addressed by the announcement that NCS staff will remain as local authority employees. However, they are noted here as they were important issues that JSW professionals wanted clarity on.

Participants’ questions

- What will the NCS mean for JSW ...
 - Salary scales?
 - Pensions?
 - Terms and conditions?

Career progression opportunities? Specifically, would a justice social worker be able to develop their career in a specific local area, or would they need to develop a national focus to progress?

8. Conclusions

It is clear from this research that JSW professionals, their clients and their professional partners see many strengths in the current approach to and arrangements for JSW in Scotland. The ethos and values of JSW, including its dual commitment to person-centred and holistic support of justice-involved people and to risk management for public protection, are central to the profession. The many partnerships JSW relies on to deliver these dual functions are also essential, with well-established joint working arrangements another recurrent identified strength. Having locally based teams, with strong understandings of the communities in which their clients live and the services available to them, is also seen as a key strength.

On the other hand, it is also clear that JSW is under very significant resourcing pressure. While JSW is clearly not unique in the public sector in this regard, the extent to which expectations and statutory requirements on JSW have increased over the last decade was seen as a contributing factor. Resourcing issues cut across all the other challenges identified in this report – from the challenges associated with delivering national requirements in rural areas, with their additional travel requirements and geographic challenges around group work; to issues around partnership working when either JSW, their external partners, or both are under time and resource pressure; to the perception that the fine balance between the ‘care and control’ elements of the role has increasingly tipped towards the latter due to a lack of staff and time to deliver the desistance-focused work that attracted many justice social workers to the role in the first instance.

Participants in this report had many suggestions for improving JSW. Some of these suggestions – such as increasing opportunities for co-location and improving the sustainability of resourcing – are likely to be issues that are experienced by Children and Families and Adult social work too. However, it is also clear that some of the issues identified are either specific to JSW (such as issues relating to delivery of JSW-specific training) or require a different approach for JSW (for example, improving public understanding / media representation of JSW arguably raises different issues to improving public understanding of other areas of social work). As the Scottish Government and others take forward discussions around improvements to social work in general – including the potential development of a National Social Work Agency – it will be important to ensure the voice of JSW continues to be heard.

This particularly applies to ongoing discussions about the NCS, in which JSW professionals currently feel they have been an “afterthought”. While the recent COSLA/Scottish Government agreement on shared responsibility and accountability may, potentially, reassure JSW professionals on some elements of how the NCS might impact on their terms and conditions, there are many other questions raised in this report that remain unanswered. Addressing these questions and continuing to engage with JSW at all levels will need to be a priority for the Scottish Government as the NCS develops, particularly – but not only – if Ministers decide that JSW should form a part of this new service.

Appendix A – Discussion guides

A.1. Discussion guide for JSW professionals:

Introduction (5 mins)

- **Introduce self and Ipsos**
- **Check in with how they are.** Is now still an OK time to speak to us?
- **Introduce the research and its aims:** The Scottish Government has commissioned Ipsos, working with Professor Beth Weaver, to undertake research on the strengths and weakness of current and possible future models of organisation and delivery of JSW in Scotland. It aims to provide robust evidence to inform decisions around the potential inclusion of JSW in the National Care Service, but also to provide wider evidence on current strengths, weaknesses, challenges and opportunities for improvement.
- The research will include:
 - A literature review, conducted by Professor Weaver, looking at existing evidence on strengths and weaknesses of JSW provision in Scotland, and on different models of delivery across the UK and further afield and how these shape practice and outcomes.
 - Qualitative research in four case study areas, including interviews with:
 - Professionals, focusing particularly on JSW (managers, team leaders, social workers/para-professionals), but also including Community Justice Coordinators or CJP leads and other key partners for JSW
 - Service users – intention is to hold a small group discussion in each case study area.
- **Discuss anonymity and confidentiality**
 - If we use quotes in the report, they will be anonymous, but will know which LAs were included
 - BUT given small number of people in specific roles, it can be difficult to offer concrete guarantees of confidentiality to professional interviewees. Given this, if there is anything you mention during the interview that you would rather wasn't quoted or referred to directly, then just let me know. I'll check back with you about this at the end.
 - Remind participants of confidentiality within the group.
- Remind participant that they don't have to answer any questions they don't want to answer, and that they are welcome to stop the interview at any time.

- Group will last around 90 mins.
- **Request permission to record** – this in case my notes are unclear and I need to go back and check anything. The recording will not be shared with anyone outside the research team and will be securely deleted after the research is complete.
- Any questions before we start?

Intro and permission to record (5 mins)

Aim: to clarify their role (title, team) and get consent to record

- To start off with, please could you very briefly **introduce yourself**, your **team** and **job title**, and **confirm that you are happy to be recorded** for Ipsos to listen back to
 - Go round the room and pick people in turn

Current organisational context (10 mins)

Aim: To understand/check our understanding of how JSW is currently structured locally. Some questions may be more or less relevant depending on level of interviewee. For social workers and team leaders, want to understand where sit within wider local structures.

- Before we get onto discussing your views on strengths and challenges of current JSW delivery, I just wanted to get a bit more info on your current organisational structure and context, so I can make sure I understand this.
- Where is your **team based** and who else, if anyone, works out of that location, including other social work teams or other services? (we want to know if they're co-located with other services, so probe on this specifically) (again, go round room in turn, but briefly)
- **Key question:** For those co-located - probe around impact of co-location – positives and negatives, e.g., helping service users access services, information sharing, etc.

Questions for operational / service managers only:

- Can you describe the **wider JSW structure** in your area?
 - Where does JSW 'sit' in your local structure i.e. on its own, with health, with education, with C&F SW, etc.?
 - Is this same or different as where Children & Families and Adult social work sit? How well does that work? Benefits/challenges?

- **If not already clear, check with service managers/op managers:** Who is responsible for JSW overall? What is their job title and profession? Where do they sit in local authority / Integrated Joint Board?

Key perceived strengths and weaknesses of JSW (locally and nationally) (40 mins)

Aim: to understand perceptions of the strengths and weaknesses of JSW, both in their local area and more widely across Scotland, and what these strengths and weaknesses depend on.

Key question: What do you see as the **key strengths of current delivery** of JSW in your area?

- Why do you see this as a strength?
- What contributes to this being strong in your area?

Key question: What do you see as the **key weaknesses**, issues, challenges or areas for improvement for current delivery of JSW in your area?

- Why do you see this as an area for improvement?
- What contributes to this being challenging in your area?

If not mentioned, probe on whether see each of the following as a strength or a weakness locally and why (*listed in priority order, with key areas to make sure you probe on if not already mentioned highlighted*):

- **KEY: Outcomes for service users** – which outcomes are they delivering particularly well / less well on? For which specific groups of service users?
- **KEY: Professional identity** – do they feel JSWs have a clear / strong professional identity or not? What contributes to this?
 - How would they describe their professional identity?
 - Where do they see themselves as 'fitting' professionally as a JSW? (e.g. social worker first, justice professional first, or both/something else?)
 - How do they feel they are perceived by other professions? (e.g. Courts, Parole, Health, Addictions etc.)
- **Key question: Partner relationships / joint working** – where are these strong/weak locally?
 - Who do you see as the **key partners/agencies/organisations** JSW needs to work with to deliver its aims in your area?

- **Which partnerships** are currently **particularly strong locally**? Which deliver good outcomes for service users?
- Which partnerships **could be improved** / what are the areas could partnership working be stronger?
- What currently **helps to support good partnership working** locally? What **hinders it**?
- How far do they currently work with statutory and third sector partners **outside immediate local authority**?
 - What support / hinders working across LA boundaries?
- If not mentioned, and if time, probe specifically on whether / how they work in partnership with:
 - **Other social work teams** (Children and Family Social Work; Adult social work);
 - **Other local authority services** (Housing, Employability);
 - **Health-related services** (GPs, NHS addiction services, Alcohol and Drug support agencies, Mental Health); 3rd sector (which services?);
 - **Justice agencies** (Police, Prisons, Parole Board, Courts, Judiciary; Community Justice Partnership)
- **Key question: Strategic direction / leadership locally?** Is this a strength or are there specific challenges locally?
 - What about leadership nationally? Who speaks for JSW at a national level? How well or badly does this work at the moment in terms of voice and accountability? Does this have an impact on JSW locally?
- **Training and guidance** for JSW staff?
- **Governance/supervision** arrangements?
- **Resources / funding arrangements** – if in need of improvement – in what way? Staffing Levels? Overall amount of funding vs. how funding is structured?

If time (may already have been covered):

- **Culture and values** – how would they describe culture and key values of JSW locally? (N.B may have come out under professional identity)
 - How do the culture and values of JSW compare with those of health and social care? (e.g. where are they similar/different?)

- **Consistency of services** – are the right services consistently available to service users in their area? (N.B. may have come out under partnerships/service user outcomes)
 - If not, where are the gaps, and why?

Key question: How do you think these local strengths and challenges in delivery **compare to wider picture across Scotland?** (interest in knowing what they know about / how they view what happens outside their LA)

- Are there things you think your area seems to do particularly well?
- In what way? Why do you think your area might be stronger in this regard?
- Are there things where you think other areas may be stronger?
- In what way? Why do you think other areas might be stronger in this regard?
- PROBE on what basing answers on – e.g. discussions with other areas, what have read in news/online, etc.

Possible benefits and challenges of JSW being included, or not included, within the NCS (25 mins)

Aim: to understand how, if at all, they think strengths and weaknesses identified above may be impacted by a) JSW being included in the NCS and b) JSW being outside the NCS. To understand any other perceived implications of the NCS for JSW.

- As you'll be aware, the Scottish Government has introduced legislation to enable the creation of a National Care Service, following on from the Independent Feely Review of Adult Social Care.

The Bill allows Scottish Ministers to transfer social care responsibility from local authorities to a new, national service with the stated aim of improving the quality and consistency of social services in Scotland. It provides a framework for the setting up of the Service, with the substantive detail to follow.

At the moment, no decision has been taken about whether or not JSW (and Children and Families Social work) will be included in the NCS or not. As you may also be aware, the Scottish Government is also looking at developing a National Social Work Agency within the NCS, with the aim of providing national leadership.

- **Key question:** What **potential benefits** do you think there could be from **including JSW in the NCS?**
 - Could any of the local challenges / areas for improvement you mentioned earlier be helped by this change?

- Probe re. specific challenges / areas for improvement they mentioned— e.g. partnership working, leadership, etc.
- **Key question:** What **potential challenges** do you think there would be around including JSW in the NCS?
 - Could any of the local strengths you mentioned earlier be affected by this change?
 - Probe re. specific strengths improvement they mentioned - e.g. partnership working, leadership, etc.
- **Key question: What about if JSW was NOT included in the NCS? What potential benefits** do you think there could be from not including JSW in the NCS?
 - Could any of the local challenges / areas for improvement you mentioned earlier be helped by this?
 - PROBE re. specific challenges / areas for improvement they mentioned— e.g. partnership working, leadership, etc.
- **Key question:** What **potential challenges** do you think there would be around not including JSW in the NCS?
 - Could any of the local strengths you mentioned earlier be affected by this?
 - PROBE re. specific strengths improvement they mentioned - e.g. partnership working, leadership, etc.
 - What if C&F and ASC are inside the NCS and JSW was outside it?
- **Key question::** What **areas would you need more detail on** in order to assess the possible impacts of JSW being included in the NCS or not?
 - **Probe fully** – want to understand what issues they think need to be addressed in developing more detailed options for future of JSW
 - What questions do they have about how it would work?

Wider views on the future of JSW delivery (10 mins)

Aim: to understand wider factors in terms of structural change for JSW

Key question: What difference, if any, has **integration of Health and Social Care into a HSCP** made to JSW in your area?

- How has it impacted on the strengths and challenges you've described? (probe for both areas where JSW is devolved to IA, and areas where remains in LA)

- **(For team leaders / operational/service managers where jsw is within HSCP)** – In context of thinking about potential future changes to the structure JSW sits within, we're interested in your reflections on the process of moving JSW into the HSCP. What helped with the transition? What were the challenges?
- Do you have any **other thoughts on how the operation of JSW in Scotland might be improved** in the future?
 - What actions could be taken *now* and by whom?
 - What are other possible ways of strengthening services in the longer term?
- Finally, based on your experience, do you think there is an **optimal structure** for the delivery of JSW in Scotland?
 - IF YES - what would it look like and why?
 - If necessary, prompt on different options: remain the same; incorporate in NCS; single JSW national agency model; local model with co-location with other services?

Thank you and ending interview (2 mins)

- Is there anything else you would like to raise about the things we've discussed today?
- Do you have any questions about the research?
- Are you happy to be quoted anonymously in any reports? Note any concerns/anything don't want to be quoted on in notes.

A.2. Discussion guide for wider professional partners:

Introduction (3 mins)

- **Introduce self and Ipsos**
- **Check in with how they are.** Is now still an OK time to speak to us?
- **Introduce the research and its aims:** The Scottish Government has commissioned Ipsos, working with Professor Beth Weaver, to undertake research on the strengths and weakness of current and possible future models of organisation and delivery of JSW in Scotland. It aims to provide robust evidence to inform decisions around the potential inclusion of JSW in the National Care Service, but also to provide wider evidence on current strengths, weaknesses, challenges and opportunities for improvement.
- The research will include:
 - A literature review, conducted by Professor Weaver, looking at existing evidence on strengths and weaknesses of JSW provision in Scotland, and on different models of delivery across the UK and further afield and how these shape practice and outcomes.
 - Qualitative research in case study areas, including interviews with:
 - Professionals, focusing particularly on JSW (managers, team leaders, social workers), but also including other key partners for JSW – including themselves.
 - Service users – intention is to hold a small group discussion in each case study area.
- **Discuss anonymity and confidentiality**
 - If we use quotes in the report, they will be anonymous, but will know which LAs were included
 - BUT given small number of people in specific roles, it can be difficult to offer concrete guarantees of confidentiality to professional interviewees. Given this, if there is anything you mention during the interview that you would rather wasn't quoted or referred to directly, then just let me know. I'll check back with you about this at the end.
- Remind participant that they don't have to answer any questions they don't want to answer, and that they are welcome to stop the interview at any time.
- Interview will probably last around 45-60 minutes.
- **Request permission to record** – this in case my notes are unclear and I need to go back and check anything. The recording will not be shared with

anyone outside the research team and will be securely deleted after the research is complete.

- Any questions before we start?
- **At start of recording** – I just need to confirm for the record that you are giving verbal consent that you are happy to take part in this interview, and happy for the interview to be recorded for Ipsos to listen back to.

Own role and responsibilities (5 mins)

Aim: to clarify their role (title, key responsibilities)

To start off with, tell me a bit about your role and your organisation

- How would you describe your role to someone who didn't know anything about what you do
- How long have you been in post?

Partnership working / working relationships with JSW (15 mins)

Aim: To understand a) how they work with JSW, b) wider partnership working around justice involved individuals and c) areas for improvement. Some questions may be more or less relevant, depending on role of interviewee.

- Can you describe **how you / your organisation work with JSW** in your area?
 - How frequently do you have contact with JSW?
 - Is your contact mainly focused on discussing individuals, or do you also have wider discussions / involvement with JSW (e.g. strategic, shared resourcing, etc.)?
 - Do you work with them in person / remotely? How well does this work? How could it be improved?
 - If based in same building – what are the benefits of this? What are the drawbacks?
 - Overall
 - What do you feel **works well about your current working relationship** with JSW? What supports joint working?

- What do you feel are the **main challenges around your current working relationship** with JSW? What hinders joint working?
 - How could joint working with JSW be **improved**?
 - IF NECESSARY, PROBE AROUND: Leadership (locally/nationally)? Training? Resources? Structure of JSW locally? Structure of their organisation / other partners? Joint planning arrangements?
- Which other justice partners do you work most closely with?
 - What currently helps to support good partnership working in general locally? What hinders it?
 - How far do they currently work with partners outside immediate local authority?
 - What support / hinders working across LA boundaries?
- How do you think the **culture and values of JSW** compare with the culture and values of your service? Where are they similar? Where are they different?
 - What, if any, difference does this make to joint working?

External partners' perceptions of JSW (10-15 mins)

Aims: to get their external perspective on strengths and weaknesses of JSW. Depending on role/level, they may feel more or less qualified to comment on this, so adapt questioning/level of probing accordingly.

- From what you know, what do you see as the **key strengths of current delivery** of JSW in your area?
 - Why do you see this a strength?
 - What contributes to this being strong in your area?
 - IF NECESSARY, PROMPT: is it a result of strong leadership (locally/nationally)? Training? Partnership working? Levels of / access to resources? Organisation of JSW locally? Something else?
- What do you see as the **key weaknesses, issues, challenges or areas for improvement** for current delivery of JSW in your area?

- Why do you see this as an area for improvement?
- What contributes to this being challenging in your area?
 - If necessary, prompt: national/local leadership? Training? Partnership working? Resources? Organisation of JSW locally?
- **Outcomes for service users** – which outcomes are they delivering particularly well / less well on? For which specific groups of service users?
- **Consistency of services** – are the right services consistently available to JSW service users in their area?
 - If not, where are the gaps, and why?
- How do you think these local strengths and challenges in delivery **compare to wider picture across Scotland**?
 - Are there things you think JSW in your area seems to do particularly well?
 - In what way? Why do you think JSW your area might be stronger in this regard?
 - Are there things where you think JSW other areas may be stronger?
 - In what way? Why do you think other areas might be stronger in this regard?
 - Probe on what basing answers on – e.g. experience of working with JSW in other areas, discussions with colleagues in other areas, what have read in news/online, etc.

Possible benefits and challenges of JSW being included, or not included, within the NCS (15 mins)

Aim: to understand their current views of the potential implications, positive and negative, of a) JSW being included in the NCS and b) JSW being outside the NCS. We are interested in perceived impacts on JSW, JSW service users, and on their partners.

- **Read out:** As you'll be aware, the Scottish Government has introduced legislation to enable the creation of a National Care Service. The National Care Service Bill followed on from the Independent Review of Adult Social Care (the Feely Review) which recommended reform to create national accountability for social care support.

The Bill allows Scottish Ministers to transfer social care responsibility from local authorities to a new, national service with the stated aim of improving the quality

and consistency of social services in Scotland. The Bill provides a framework for the setting up of the Service, with the substantive detail to follow.

At the moment, no decision has been taken about whether or not JSW (and Children and Families Social work) will be included in the NCS or not. As you may also be aware, the Scottish Government is also looking at developing a National Social Work Agency within the NCS, with the aim of providing national leadership.

- What **potential benefits** do you think there could be from including JSW in the NCS?
 - Could any of the local challenges / areas for improvement you mentioned earlier be helped by this change?
 - What impact might it have for **service users**?
 - What impact might it have for **partnership working** with JSW?
- What **potential challenges** do you think there would be around including JSW in the NCS?
 - Could any of the local challenges / areas for improvement you mentioned earlier be helped by this change?
 - What impact might it have for **service users**?
 - What impact might it have for **partnership working** with JSW?
- What about if JSW was NOT included in the NCS? What **potential benefits** do you think there could be from including JSW in the NCS?
 - Could any of the local challenges / areas for improvement you mentioned earlier be helped by this change?
 - What impact might it have for **service users**?
 - What impact might it have for **partnership working** with JSW?
- What **potential challenges** do you think there would be around not including JSW in the NCS?
 - Could any of the local challenges / areas for improvement you mentioned earlier be helped by this change?
 - What impact might it have for **service users**?
 - What impact might it have for **partnership working** with JSW?
- What **areas would you need more detail on** in order to assess the possible impacts of JSW being included in the NCS or not?

- Probe fully – want to understand what issues they think need to be addressed in developing more detailed options for future of JSW
- What questions do they have about how it would work?
- Do you have any **other thoughts on how the operation of JSW in Scotland might be improved** in the future?
 - Are there any improvements that could be made *now* and by whom?
 - What are other possible ways of strengthening services in the medium to long term?
- Finally, based on your experience, do you think there is an **optimal structure** for the delivery of JSW in Scotland? IF YES - what would it look like and why?
 - If necessary, prompt on different options: remain the same; incorporate in NCS; single JSW national agency model; local model with co-location with other services?

Thank you and ending interview (2 mins)

- Is there anything else you would like to raise about the things we've discussed today?
- Do you have any questions about the research?
- Are you happy to be quoted anonymously in any reports? Note any concerns/anything don't want to be quoted on in notes.

A.3. Discussion guide for JSW clients:

Introductions (10 minutes)

- **Introduce self and Ipsos – emphasise independence**
- **Thank them for coming**
- **Check – did everyone get the project leaflet and have they had chance to read it?** If anyone not read, make sure take extra time on intro.
- **Introduce the research and its aims:** The Scottish Government is thinking about how best to organise Justice Social Work in the future. They want this to be informed by understanding how it is working at the moment – what works well, what works less well? They've asked us to do research on this. We're speaking to people in different areas of Scotland, including Justice Social Workers and other professionals they work with. But the views of people involved in these services are really critical to understanding what works and what doesn't – that's where you come in. Views will be fed back (anonymously) to the Scottish Government so that they, and others, can think about how to improve JSW in the future.
- **How this will work:**
 - Four questions. Will spend about 15 minutes on each question – start by thinking about / jotting down ideas (post-its on tables), then we'll chat through them (if you'd rather not write things down you can just tell me what you'd like to add from start)
 - At end, I'll summarise what I think were the most important points – and you can let me know if this seems right
 - Will probably take around an hour
 - We'll write a report for Scottish Government on what we find from across all the groups and the interviews with Justice Social Work and others. This will help inform their thinking about future options for Justice Social Work.
- **Voluntary nature of participation / scope of discussion**
 - Taking part is completely voluntary. If you'd rather not take part / prefer not to answer particular questions, that's totally fine.
 - Focus of discussion is on your views and experiences of working with Justice Social Work.
 - You don't need to share anything about why you are working with Justice Social Work
- **Discuss anonymity and confidentiality**

- Everything you say today will be confidential – only exception to this is if someone tells us something that makes us concerned you, or someone else, is at risk of harm. If that happened, and it was something you weren't already getting support with, we might need to share it with someone else.
- Other than that, we won't tell anyone else what you said in a way that could identify you, and won't include any names in the report – feedback is all anonymous, so you can be open and honest.
- We'd ask that you also respect each other's confidentiality – please don't share anything that's discussed outside this room.
- **Check whether happy to record** – this is in case our notes are unclear and we need to go back and check anything. The recording will not be shared with anyone outside the research team and will be securely deleted after the research is complete. If anyone is not happy with being recorded, that's fine, we can just take notes – just let us know before we start.
- **Hand out consent forms and ask them to initial each box**, if they are happy a) to take part, b) to be recorded, c) to be anonymously quoted.
 - Suggest reading the consent form options out to avoid any literacy issues
 - Then collect in and **confirm everyone happy with recording before switching recorder on.**
- **Any questions before we start?**
- **Go round table and ask people to introduce themselves** – first name, area they stay in just now, and their favourite film / TV programme.

Four questions:

1. What would you say Justice Social Work do well? What are they good at?
2. What would you say Justice Social Work don't do very well?
3. If you were talking to someone about possible changes to Justice Social Work in the future, what are the top three things you would tell them they need to keep about how Justice Social Work works with people just now?
4. What are the top three things you would want to change about Justice Social Work?

Instructions to moderator:

- Take each question in turn – 10-15 mins on each.

- Give participants a couple of minutes to write down initial thoughts and stick them up on the flip chart sheet (or they can just call them out and you can write them up)
- Then read them out and probe for detail

Possible extra probes:

- What are some examples of things that your Justice Social Worker/Supervisor has done that have most helped you?
 - o What was it (specifically) that they did that helped most?
 - o How did it help?
- What difference, if any, did being involved with Justice Social Work make to your lives / what difference is it making?
- Are there any areas where you would have liked more help from Justice Social Work?
 - o Are these things you've discussed with your Social Worker/Supervisor? What did they say about this?
- What did you expect working with Justice Social Work to be like when you first started seeing them? How did this compare to what it was like in practice?
- What particular times have you felt more or less well supported by Justice Social Work?
 - o When?
 - o Why – what made you feel more/less supported at this stage?
 - o What would you have liked to happen instead?
- What did you expect the support to be like? And what was it actually like?
- How does it compare to any support you get or have had from elsewhere?
- Have Justice Social Work linked you with other services?
 - o Which ones?
 - o How helpful was this for you?
 - o Are there other services you would have liked to be linked up with?
 - o Did you discuss this with your Justice Social Worker? What did they say about this?

- Do you think Justice Social Workers are more similar to other justice workers (e.g the police) or other social workers?
 - o E.g. are they social workers first; justice workers second? (or vice versa?)

At end of discussion:

- Is there anything else you would like to raise about the things we've discussed today?
- Do you have any other questions about the research?

Thank and close

- **Thank everyone for coming**
- **Reminder about confidentiality** – from us and from them for each other
- Reminder that next steps will be to write a report for the Scottish Government about how Justice Social Work is working across Scotland – it may be helpful at this stage to **clarify/remind participants that their feedback will not lead to their JSW making any changes** to the service they're currently receiving.
- **Hand out copies of project leaflet** and remind them they can get in touch if any further comments/questions. If you have already given out the leaflet: Remind participants about this and that our contact information is on there.



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